Treasure of Gifts to Muslim Women

Part 2

Foreword

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Allaah has granted the Ummah the best and most complete Deen of Islaam that is straight and has no inclination towards wrong. Emphasising the ease in Deen, Rasulullaah ρ mentioned, "Deen is easy." Since the knowledge of Deen is also an important fundamental facet of the Deen, it follows that the knowledge of Deen is also simple and easy to attain.

Knowledge of Deen has many branches which includes *inter alia* the knowledge of Tafseer, the knowledge of Hadith, the knowledge of Aqaa'id and the knowledge of Fiqh. These are referred to as *"Uloom Deeniyyah"* and one of the most important of these is the knowledge of Fiqh, which is really the essence of the Qur'aan and Ahadeeth. Throughout the annals of history, the eminent scholars of Deen have applied themselves tremendously to make this branch of knowledge as simple as possible.

A poet has therefore composed the following couplet describing the Hanafi school of Fiqh:

ألفقه زرع إبن مسعود و علقمة   حصاده ثم إبراهيم دوّاس

نعمان طاحنه يعقوب عاجنه   محمد خابز و الآكل النّاس

"This Fiqh is the plantation of Ibn Mas'ood and Alqama
The harvesters of which was Ibraheem

Nu'maan was its miller and Ya'qoob the one who kneaded the flour
Muhammad was the baker while people at large are the consumers"

As time progressed, the ability of people to extract injunctions from the sources of the Shari'ah gradually weakened. Just as the great scholars of the past make every effort to simplify the understanding of the Qur'aan and the Ahadeeth for people and to gather various compilations of these, they also did the same for the science of Fiqh. This science therefore passed through many stages and junctures of simplification. As a result of these efforts, hundreds of books have been written on this subject in Arabic and many other languages. A large collection of books are also to be found in the Urdu language.

Just as injunctions pertaining to males and females have been mixed in the Qur'aan and the Ahadeeth, the books of Fiqh written in Arabic and Urdu have also combined the laws and usually indicate those that apply only to women. However, because more attention is being focussed on educating females in Deen, there are now books prepared exclusively for them. This is a further effort in simplifying the science of Fiqh.

One of the links in this chain is this book now in your hands, prepared by the respected Moulana Ya'qoob Patel Sahib (Hadith lecturer in Madrasah Mu'eenul Islaam in Zakariyyah Park, Lenasia, South Africa). He has prepared this book after researching several authentic Arabic and Urdu works. I have studied the book from beginning to end and pray that Allaah accepts this great effort from him. May Allaah make it beneficial for Muslim women and girls of the Ummah and make it a means of everlasting Sadaqah for the respected author. Aameen.

Yours in humility
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Virtues and Injunctions of Fasting

Fasting during the month of Ramadhaan is a fundamental pillar of Islaam without which a person will not be a proper Muslim.

Fasting during the month of Ramadhaan is Fardh (obligatory) for every male and female Muslim who is sane, mature and who has the ability to fast. It is not permissible to miss the fast without a valid "Shaari" excuse. Also Fardh are those fasts that a person vows to observe during months other than Ramadhaan as well as fasts that are *Qadhaa* and *Kaffaara*. Apart from these fasts, the rest are Nafl (optional). A person will rewarded for observing them and will not be sinful for omitting them. Of course, it is Haraam (forbidden) to fast on the days of Eidul Fitr, Eidul Adhaa and the three days after Eidul Adhaa.

Many injunctions were revealed to Rasulullaah ρ after he had migrated to Madinah. Amongst these was the command to fast during the month of Ramadhaan.

Rasulullaah ρ has mentioned that the sleeping of a fasting person is equivalent (in reward) to Ibaadah and his remaining silent with the intention of refraining from vain talk is equivalent (in reward) to Tasbeeh (reciting "Subhaanallaah"). In addition to this, during these blessed days his rewards for good deeds will be multiplied in comparison to those done during other times, his du'aas will be readily accepted and his (minor) sins will be forgiven. (*Bayhaqi*)

Another Hadith states that at the time of terminating the fast, acceptance of one of the du'aas of the fasting person is guaranteed. (*Haakim*)

A Hadith reported in *Durrul Manthoor* states that on the Day of Qiyaamah, Allaah will spread a tablecloth beneath His Throne for all those who fasted. They will then feast from it whilst other people will be still busy accounting for their actions. The people will then ask, "Who are these people who are busy feasting while we are required to render our accounts?" They will be told that these people had been fasting in the world at times when they (the others) were not.

Yet another Hadith states that the smell from the mouth of a fasting person is more pleasing to Allaah than the fragrance of musk and fasting persons will receive unlimited rewards in the Aakhirah.

Detailed books of virtues mention many more rewards of fasting. The above Ahadeeth serve only as a sample of these.

Conditions that Make Fasting Waajib

1. Being a Muslim. Fasting is not compulsory on a Kaafir.
2. Being mature. Therefore, fasting is not compulsory on a person who has not reached the age of puberty.
3. Being aware that the month of Ramadhaan has started or merely living in a Muslim state. Fasting is therefore not compulsory for a person living in *Daarul Harb* when s/he is unaware that Ramadhaan has started. (*Raddul Mukhtaar, Ilmul Fiqh*)

Conditions for Fasting to be Valid

1. Being a Muslim. The fast of a Kaafir is invalid.
2. Not being in a state of *Haidh* (menstruation) and *Nifaas* (post natal bleeding). The fast observed by a woman experiencing *Haidh* or *Nifaas* will be invalid. If she fasts after the Haidh or Nifaas stops, the fast will be valid even though she has not yet taken a bath. Therefore, the condition for the validity of fasting is not that a person should be in a state purity. (*Ilmul Fiqh*, Vol.3)

The Niyyah

1. Niyyah (intention) is a prerequisite for any act of Ibaadah to be acceptable. Rasulullaah ρ has mentioned in a Hadith:

إِنَمَا الأَعْمَالُ بِالنِّيَّاتِ

"All deeds are judged according to their intentions"

This Hadith points to the fact that it is necessary to formulate a Niyyah when fasting. Fasting will therefore not be correct without the Niyyah regardless of whether the fast is Fardh, Nafl, vowed or Qadhaa. Without the Niyyah, a person will not be regarded as a fasting person even though he passes an entire day without eating or drinking. It is not necessary to verbally say the words of the Niyyah and the act of waking up for Sehri is in itself a form of

Niyyah. It is however best to verbally say the words of one's Niyyah.

2. It is not necessary to say the words of the Niyyah in Arabic. One may say it in any language one prefers. (*Durrul Mukhtaar*)

3. If a person spent the entire day without eating or drinking without the Niyyah of fasting, one will not be said that s/he has fasted. Similarly, a person who did not get the opportunity to eat or drink the entire day will not have fasted if s/he did not make the Niyyah of fasting. (*Nurul Idhaa*)

4. It is necessary to formulate the Niyyah for fasting for every day of Ramadhaan. Making the Niyyah for one fast will not suffice for all. (*Ilmul Fiqh*, Vol.3)

5. Merely having the intention to fast without verbal utterance is sufficient and waking up for Sehri serves the same purpose as a Niyyah because it is only eaten for the sake of fasting. Of course, the Sehri will not take the place of Niyyah if it is a person's habit to eat at the time of Sehri or if a person does not want to fast but merely eats Sehri (for some other reason). (*Ilmul Fiqh*)

6. The final time in which one is allowed to formulate the Niyyah for fasting is an hour before midday (when the sun is at its meridian) on condition that s/he did not have anything to eat or drink since dawn.

7. The Fardh fast will be valid if the Niyyah was made the previous night. During a night of Ramadhaan a person had intended not to fast the following morning and still maintained this intention by the morning. However, it was still midmorning when his conscience told him that he ought to fast because it is a great sin not to do so. He then changed his intention and decided to fast. His fast will be valid on condition that he did not have anything to eat or drink since dawn. (Sharhut Tanweer, Vol.1)

8. If during the month of Ramadhaan, a person makes the intention to observe a Nafl fast, thinking that s/he will make up the Ramadhaan fast after Ramadhaan, the fast will be counted as a Ramadhaan fast and not a Nafl fast. (Fataawa Hindiyyah, Vol.1)

9. The Niyyah of a sick person during the month of Ramadhaan is just like that of a healthy person. Therefore, if a sick person makes the Niyyah to observe a fast whichi is other than a Ramadhaan fast, the intention will have no effect and the fast will be counted as a Ramadhaan fast. However, if in the month of Ramadhaan a Musaafir[1] makes the Niyyah to observe a fast other than a Ramadhaan fast, his fast will be as he intends (regardless of whether his Niyyah was for a Nafl or Waajib fast). (*Raddul Mukhtaar alaa Durrul Mukhtaar*, *Vol 2*)

10. Saying “Inshaa Allaah” for blessings when formulating the Niyyah will not affect the validity of the Niyyah. *(Ilmul- Fiqh, Vol 3)*

11. Because the Shari’ah stipulates that the fast begins only from Subh Saadiq (true dawn), it will be permissible to eat and drink before this time. The notion of some women is therefore incorrect who think that it is not permissible for them to eat or drink anything between the time they had completed Sehri and the time of Subh Saadiq. They are at liberty to continue eating as long as Subh Saadiq has not arrived regardless of whether they had formulated the Niyyah or not. (*Nurul Idhaa*)

12. If a person makes the Niyyah to fast during any of the two days of Eid or the days of Tashreeq (11th, 12th and 13th of Dhul Hijjah), it will not be necessary to observe the fast. If such a fast was (started and then) invalidated for some reason, the person will not have to repeat it another day. In fact, it is Waajib (compulsory) to terminate the fast (if it was started) because it is Makrooh Tahreemi to fast during these days. (*Ilmul Fiqh*, Vol.3)

13. Some women use medication to stop their Haidh so that they may fast during Ramadhaan. Although the fast is valid and there is no restriction in the Shari’ah from using such medication, this should not be done when the woman’s health is jeopardised. (*Aap ke Masaa’il awr un ka Hal*)

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[1] Someone who travels a distance greater than 88 km.

Factors that do not invalidate the Fast

1. If a fasting person forgetfully eats or drinks, the fast will not be invalidated even though s/he ate to the fill. In fact, the fast will not be invalidated even though s/he ate or drank forgetfully on several occasions. (*Qudoori*)

2. If one saw a fasting person eating or drinking forgetfully, it will be Waajib to remind him/her about the fast only if s/he is well and strong enough to endure the fast. However, if the fasting does not have the ability to complete the fast and will experience much difficulty in doing so, one should rather not remind him/her about the fast and allow him/her to continue eating. (*Aalamgeer* Vol.1)

3. No harm will be done to the fast if a person applies Surma (kohl), oil or perfume while fasting. In fact, even if traces of the kohl appear in the spit or mucus, the fast will still be valid without even becoming Makrooh. (*Qudoori*)

4. The fast will not be invalidated by donating blood. (*Aap ke Masaa'il awr un ka Hal*, Vol.3)

5. Blood emerging from the mouth will invalidate the fast only if it is more than the saliva. However, if the blood is less than the saliva and cannot be tasted in the throat, the fast will still be valid. (*Fatawaa Qaadhi Khan*)

6. Inserting one's false teeth into the mouth will neither invalidate the fast nor make it Makrooh.

7. Pyorrhoea is a disease of the mouth because of which puss emerges from the gums. However, since the puss is less than the saliva, it will not invalidate the fast. (*Fatawaa Raheemiyyah* Vol.3)

8. The fast will not be invalidated by water, oil or medicine entering the ears, whether it went in by itself or was inserted inside. However, the fast will be invalidated if the eardrum has a hole or is ruptured. (New research as per opinion of my teacher Mufti Ismail)

9. Water entering the nose does not invalidate the fast. However, if the water passes through the nose and enter the throat, the fast will be nullified. (*Imdaadul Fatawaa* Vol.2)

10. Putting medicine in the eyes also does not nullify the fast. (*Ahsanul Fatawaa* Vol.4, *Raddul Mukhtaar*)

11. If a wound on the stomach or the head is so deep that medication applied to the surface reaches the stomach or the brain, the fast will be invalid. However, if the medication does not reach directly but via a blood vessel, the fast will still be valid. (*Hidaayah* Vol.1, *Aap ke Masaa'il awr un ka Hal*)

12. The fast will not be nullified if a fly, some dust or smoke went down the throat. However, if the fasting person intentionally allowed these things to go down, the fast will be invalid. (*Durrul Mukhtaar*)

13. Swallowing one's saliva will not nullify the fast. However, it is Makrooh to intentionally collect saliva in the mouth and then swallow it. (*Aap ke Masaa'il awr un ka Hal*)

14. If a small amount of vomit unintentionally went down one's throat, the fast will not be nullified. However, the fast will be invalidated if the vomit was intentionally swallowed. (*Fatawaa Hindiyyah*)

15. The fast will not be nullified when one vomits intentionally on condition that the vomit is less than a mouthful. (*Ilmul Fiqh*, Vol.3)

16. Using tooth powder or toothpaste without great necessity while fasting is Makrooh. These may however be used if the necessity is great. (*Jadeed Fiqhi Masaa'il* Vol.1 Pg.91)

17. Administering glucose drips while fasting will not invalidate the fast on condition that it was done out of necessity. Similarly, blood transfusion done by injection will also not invalidate the fast. (*Aap ke Masaa'il awr un ka Hal*, *Jadeed Fiqhi Masaa'il*)

18. Although it is permissible for a woman to apply lipstick while fasting, it will be Makrooh to do so if there is a fear that the lipstick will get into the mouth. (*Ahsanul Fatawaa* Vol.4)

19. It is permissible to have a tooth extracted while fasting or to have medicine applied in the mouth if the necessity is great. It is Makrooh to do so without necessity. However, the fast will be invalidated if the medicine or blood reaches the stomach, if the blood is equal to or more than the saliva or if it can be tasted in the throat. (*Ahsanul Fatawaa* Vol.4, *Raddul Mukhtaar*)

20. The fast will not be nullified if one tasted something and then immediately spat it out. However, it is Makrooh to do so unnecessarily. Of course, if a woman has an ill tempered husband who would lose his temper if the taste of the food is not right, it will not be Makrooh for her to taste the food. (*Sharhul Wiqaayah*)

21. An epileptic convulsion will not nullify the fast. (*Aap ke Masaa'il awr un ka Hal*)

22. Although the fast will not be nullified by donating blood, it will be Makrooh if there is a fear that the fasting person will not have sufficient strength to complete the fast after the transfusion. (*Ahsanul Fatawaa*)

23. If a doctor or nurse is wearing a glove to insert a finger into a fasting woman's vagina, the fast will be nullified only if there was any water or other substance (gel, medication) on the glove. The fast will remain intact if there was nothing of the sort on the glove. (*Durrul Mukhtaar*, *Ahsanul Fatawaa*)

24. If a person required to take a Ghusl at night but failed to do so and then started the fast, the fast will be valid even though the entire day passed by without taking the Ghusl. Of course, the sin for doing this is a separate matter. (*Nurul Idhaa*)

25. It will not be Makrooh for a mother to chew the food for her infant who is unable to eat the food without her chewing it first. It will however, be Makrooh to chew food unnecessarily. (*Maa Laa Budda Minhu*)

26. The fast will not be nullified by strands of the Miswaak going down the throat. (*Ahsanul Fatawaa* Vol.4)

27. If a small amount of tears (such as one or two drops) enters a fasting person's mouth, the fast will not be nullified. However, if a

large amount of tears collect in the mouth or if one can taste the saltiness of the tears, the fast will be nullified if it is swallowed. The same applies to perspiration entering the mouth. (*Fatawaa Aalamgeeri* Vol.2)

Factors that Nullify the fast and Necessitate Qadhaa Only

- And -

Factors that Nullify the Fast and Necessitate both Qadhaa as well as Kaffaara

When a fast is nullified or missed with a valid excuse, another fast will have to be observed to compensate for it. In the terminology of the Shari'ah, this is referred to as Qadhaa.

When a fast is nullified and in addition to the Qadhaa fast a person is required to fast for two consecutive months, this is referred to as Kaffaara.

1. (a) It is not necessary to observe the Qadhaa fasts in succession, whether they be the Qadhaa of Ramadhaan fasts or any other fast.

   (b) It is not necessary to start the Qadhaa fasts immediately when the excuse for not fasting terminates. One may observe them whenever one desires to do so.

   (c) Unlike the Qadhaa of salaah, Qadhaa fast do not have to be observed in sequence.

   (d) It is permissible to observe fasts during their usual times (e.g. the Ramadhaan fasts during Ramadhaan) even though the Qadhaa fasts have not been observed. However, it is best to observe them as soon as possible because one never knows when death will arrive. (*Ilmul Fiqh*)

2. A Hadith in Mishkaatul Masabeeh quotes from Rasulullaah ρ that if a person missed a single fast of Ramadhaan without any valid reason or illness, s/he will never be able to compensate for it even though s/he fasts for a lifetime. This Hadith does not imply that there is no necessity to observe the Qadhaa fasts. It means that the blessings, rewards and benefits of the Ramadhaan fasts will not be attained by fasting during other times. This Hadith emphasises the virtues of observing the Ramadhaan fasts during Ramadhaan.

According to the Hanafi Madh'hab, there are two factors that necessitate Kaffaara together with Qadhaa. These are:

1. When without any valid excuse in the Shari'ah, one used anything that has nourishment value (e.g. ate or drank something) and that thing used is appealing to a person or serves to satisfy the stomach.
2. When one satisfied the carnal passion of the genital organs.

The above two factors will necessitate Kaffaara in addition to Qadhaa when the following two conditions are found:

1. The affected fast was a fast of Ramadhaan. Kaffaara will not be necessary for invalidating any other fast such as fasts that are Qadhaa of Ramadhaan, Nafl, etc.
2. The fast was intentionally invalidated. Only Qadhaa (and not Kaffaara) will be Waajib if the fast was nullified by mistake, out of forgetfulness or because of a valid excuse. (*Kitaabul Fiqh*)

Kaffaara

- As Kaffaara for a fast, a slave will have to be set free. If this is not possible (either because one cannot afford to or because there are no slaves available), sixty consecutive fasts have to be observed. If a person is unable to do even this, s/he will have to feed sixty poor persons.

- The sixty fasts have to be observed in succession and not a single fast can be missed in between. If a fast is missed in between, it will be necessary to start the sixty fasts all over again. The fasts observed previously will not be taken into account. However, when a woman experiences Haidh, she will be allowed to miss her fasts during the period of her Haidh. When the Haidh stops, she will have to complete only the remaining number of fasts.

- Although it is best to observe the Qadhaa fasts before the Kaffaara, it is permissible to observe the Qadhaa after the Kaffaara.

- If Kaffaara became Waajib due to a reason other than having intercourse while fasting and then another Kaffaara became Waajib, a single Kaffaara will suffice for both cases. This will apply even though the two cases took place in two separate months of Ramadhaan. When the Kaffaara became due because of intercourse, a separate Kaffaara will have to be observed for each case in which intercourse took place even though a previous Kaffaara had not yet been observed. There are three opinions concerning the merging of separate cases of Kaffaara i.e. whether one Kaffaara can be observed in place of several cases of Kaffaara. Nevertheless, the most acceptable opinion is that two or more cases of Kaffaara may be merged and observed as one Kaffaara on condition that the Kaffaara did not become due because of intercourse. (*Ahsanul Fatawaa* Vol.4 Pg.434, *Raddul Mukhtaar* Vol.2 Pg.120)

- If a person is capable of all three forms of Kaffaara (freeing a slave, fasting and feeding), he should choose the method most difficult for him because the purpose of the Kaffaara is to chastise a person. There is no real chastisement in doing something that is very easy. It is for this reason that the author of Bahrur Raa'iq has written that

a king should not be told to free a slave or to feed sixty people as Kaffaara. He should be told to rather observe sixty fasts because this would be most difficult for him and would prevent him from nullifying any more fasts in future. (*Ilmul Fiqh*, Vol.2 Pg.455)

- The sixty poor persons must be fed twice to their fill. They may be fed two meals on the same day or two meals on two days. The condition however, is that the same people who ate the first meal should be fed the second meal as well. It will not suffice for him to feed one meal to sixty people and then a second meal to another sixty people. In this case, he will have to feed one of the two groups a second time to fulfil the Kaffaara. It is however permissible to feed a single poor person for sixty days or to feed a different poor person for sixty days. Kaffaara would be fulfilled in these cases as well.

- If on a single day a person gave a single poor person that much food which would suffice for sixty or less people, this will count as feeding only one person.

- It is necessary that the poor people being fed must be hungry. Feeding sixty people who have already eaten to their fill will not discharge the obligation of Kaffaara. If this was done, it will be necessary to feed another sixty poor persons who are hungry. (*Mazaahire Haqq* Vol.2)

- Burning *Lobaan* or any other incense and then inhaling the smoke will nullify the fast. However, only Qadhaa will be necessary, not Kaffaara. Inhaling the fragrance of any perfumes that do not emit smoke will not nullify the fast. (*Durrul Mukhtaar*)

- If one remembered that one was fasting and then water went down the throat at the time of gargling the mouth, the fast will be nullified. However, only Qadhaa will be necessary and not Kaffaara. (*Durrul Mukhtaar*)

- After eating something by mistake, a person thought that his/her fast was nullified. S/he therefore continued eating. The fast will now be nullified. However, only Qadhaa will be necessary and not Kaffaara. (*Hidaayah* Vol.1 Pg.226)

- If a person lifted his head while yawning and a drop of water fell down his throat from an overhanging gutter, his fast will be nullified. However, only Qadhaa will be necessary and not Kaffaara. Similar is the case with rain or hail falling down one's throat. Only Qadhaa will be necessary. (*Fatawaa Aalamgeeri* Vol.2 Pg.17)

- If someone threw something at a fasting person and it went down his throat, the fast will be invalidated but only Qadhaa will be necessary and not Kaffaara. The same will apply when water enters the mouth while swimming or bathing. (*Fatawaa Aalamgeeri* Vol.2)

- If the blood from a bleeding nose entered the throat and reached the stomach, the fast will be nullified but again only Qadhaa and not Kaffaara will be necessary. (*Ahsanul Fatawaa*)

- If during Ramadhaan a person was observing some fasts and omitting others because of ill health and then one day prematurely terminated a fast, only Qadhaa will be necessary and not Kaffaara because s/he was afflicted with ill health from before. (*Raddul Mukhtaar, Fatawaa Daarul Uloom* Vol.6)

- When a fasting woman starts to menstruate, she will only need to observe Qadhaa and not Kaffaara. (*Fatawaa Daarul Uloom*)

- When a woman starts to menstruate while observing a Nafl fast, it will be Waajib for her to observe the Qadhaa after she becomes pure again. (*Raddul Mukhtaar, Ahsanul Fatawaa* Vol.4)

- If a woman could not fast because of Haidh or she was forced to terminate her fast when the Haidh arrived, she is allowed to eat. However, she should refrain from eating in front of others. If her Haidh stops during the day, it is Waajib for her to spend the rest of the day as a fasting person. (*Raddul Mukhtaar, Ahsanul Fatawaa* Vol.4)

- If a person started eating after wrongly thinking that his vomit nullified his fast, it will be necessary for him to only observe the Qadhaa and not Kaffaara. (*Ahsanul Fatawaa*)

- If a person ate the sand used to clean the head, his fast will be nullified but only Qadhaa will be necessary. However, if he was in

the habit of eating such sand, both Qadhaa and Kaffaara will be necessary. (*Fatawaa Aalamgeeri* Vol.2)

- By feeding a single poor person on one day will count, at the most, as feeding one person regardless of how much he was fed. The same applies when feeding a poor person as a penalty for breaking a vow. In the case of a broken vow, ten poor persons have to be fed or one poor person can be fed for ten days. If one poor person is given extra food, it will count only for one person’s feeding. However, the case of a very old and ill man who cannot fast is different. In lieu of his missed fasts he may give the Fidya (compensation) of all the fasts to a single poor person all at once or even give several poor people the Fidya of several fasts at once. As pointed out earlier, the case of Kaffaara is different. The prepared or unprepared food or monetary equivalent may only be given to sixty poor people or to a single poor person over sixty days. By giving one person the equivalent of several days only one day’s feeding will be counted. In short this means that when feeding poor people to discharge the Kaffaara for fasting, different poor people or different days have to be taken into consideration. Not so is the case with Fidya. (*Fatawaa Daarul Uloom* Vol.6, *Raddul Mukhtaar* Vol.2)

- Just as it is incorrect to give a single poor person the food of sixty poor people on a single day, it is also not valid to give him a single person’s portion sixty times in a single day. If this is done, it will count only for one person’s share and a further fifty nine poor people will have to be fed.

- The same applied to giving the monetary equivalent of sixty days food. One poor person cannot be given more than a single day’s portion in one day.

- It is also incorrect to give any poor person less than the amount of Sadaqatul Fitr. (*Qudoori, Bahrur Raa’iq, Behisti Zewar*)

- If one started the Kaffaara fasts on the beginning of a lunar month, then two lunar months should be completed. Days will not be counted. Sixty days will only counted when the fasts were started on a day other than the first of the month. (*Ahsanul Fatawaa*, *Raddul Mukhtaar, Kifaayatul Mufti*)

- If the succession of fasts was disrupted by a person falling ill in between or embarking on a journey, the sixty fasts will have to be started all over again as soon as the person recovers from the illness of returns from the journey. The fasts observed before the illness or journey will be regarded as Nafl fasts. (*Durrul Mukhtaar*, *Raddul Mukhtaar*, *Ahsanul Fatawaa*)

- If one did not feed the poor for sixty consecutive days but missed a few days in between, there will be no harm done because succession is not a condition when feeding the poor. One is at liberty to feed on whichever days one finds suitable. (*Maraaqil Falaah*, *Behisti Zewar*, *Ahsanul Fatawaa*)

- If any of the Kaffaara fasts were missed because of Haidh, the succession will not be affected and the remaining fasts should be observed as soon as the Haidh stops. If the woman delays even a single day after her Haidh had stopped, she will have to start the sixty days all over again. (*Ahsanul Fatawaa*)

- If the succession of sixty fasts was disrupted by a woman experiencing Nifaas, she will have to start the fasts all over again as soon as the Nifaas stops. This is because unlike Haidh, Nifaas is not a monthly occurrence. (*Durrul Mukhtaar*, *Behisti Zewar*)

- The Kaffaara will be discharged if a person asked someone else to feed the sixty people on his behalf. However, it will not be considered discharged if the other person fed the poor people without the instruction of the one on whom the Kaffaara was due. (*Shaami*)

- It will not be permissible to feed very young children when discharging the obligation of Kaffaara. If this was done, an equivalent number of adults should be fed for each of the little children. (*Shaami*)

- Although Kaffaara will not be discharged by feeding eight or ten year olds who are not even close to puberty, it will be discharged by making them the owners of the grain or money equal to the amount to be given as Kaffaara. (*Fatawaa Daarul Uloom* Vol.6 Pg.452, *Durrul Mukhtaar*)

- If one feels that it would be difficult to observe the sixty fasts as Kaffaara, s/he may not opt to feed sixty poor people instead. This is because the Qur'aan stipulates that the option of feeding the poor can be taken only when a person is completely incapable of fasting e.g. s/he has an incurable disease that makes fasting impossible or s/he is so old and weak that fasting is just not possible. (*Fatawaa Daarul Uloom* Vol.6)

- If a person gives the poor people grain (or flour) without cooking a meal, it will also suffice as long as each poor person receives the amount equivalent to Sadaqatul Fitr. It is also correct to give them the monetary equivalent of this. (*Durrul Mukhtaar*)

- If the people of an area sighted the Eid moon after fasting twenty nine days and there were people from the same area who did not complete all the fasts due to illness, the ill people should only complete twenty nine days Qadhaa. However, if the ill people do not know how many fasts the other people observed, they should observe thirty fasts to be certain of not missing any fast. (*Fatawaa Aalamgeeri* Vol.2)

- If a traveller made the Niyyah to fast but then changed his Niyyah and started eating, he will be guilty of a great sin. He will however not be required to discharge the Kaffaara. However, Ulema differ on the issue if his journey began only after he had started the fast. The most acceptable opinion states that even in this case Kaffaara will not be Waajib. (*Raddul Mukhtaar* Vol.2, *Ahsanul Fatawaa* Vol.4)

- If a resident of a town becomes a Musaafir after starting his fast but then returns home to fetch something he had forgotten, he will not be regarded as a Musaafir for the time that he is in his hometown even though he has no intention of staying over. Therefore, if he happens to terminate his fast during this while, Kaffaara will be Waajib, (*Ilmul Fiqh*, Vol.3)

- The ruling with regard to a woman experiencing *Istihaadha* (blood discharge due to illness) is the same as a person whose nosebleed does not stop. Such a woman is required to perform salaah and fast. (*Sharhul Wiqaayah*)

- Although no obligation of salaah rests on the woman experiencing Nifaas (no Qadhaa salaah either), she will have to observe the Qadhaa of the fasts she missed. (*Bahrur Raa'iq*)

- If during Ramadhaan a woman experiencing Haidh or Nifaas stops bleeding even an hour before Fajr, it will be Waajib for her to formulate the Niyyah for fasting. The Qadhaa also becomes Waajib on such women as soon as their bleeding stops. (*Kitaabul Fiqh alaa Madhaahibil Arba'a*)

- If an immature boy or girl starts fasting and then nullifies the fast, s/he will not be required to observe the Qadhaa. However, if s/he nullifies a salaah, it will have to be repeated. (*Shaami*)

- Children should be instructed to fast as soon as they are capable of doing so. When they reach the age of ten, they may even be punished for not fasting. If they are unable to observe all the fasts of Ramadhaan, they should observe as many as the can. (*Durrul Mukhtaar*)

Factors Because of Which it is Permissible not to Fast

1. A sick person does not have to fast when his/her illness is of that nature that by fasting it will either be worsened or will take longer to be cured or will lead to death. The Qadhaa fast will have to be observed as soon as the person is cured. It should however be remembered that this can only be done when the diagnosis of a religiously minded Muslim doctor says that fasting will adversely affect the illness. (*Durrul Mukhtaar*)

2. An ailing person may also omit the fast when his experience with the illness tells him that fasting will be harmful or there are other signs that inform him of this. However, merely assuming that fasting will be harmful without experience and without knowing anything about the illness is not sufficient reason to miss the fast. If a person did not fast during Ramadhaan merely on the grounds of such a baseless assumption, s/he will be sinful and if a fast was nullified on such an assumption, Kaffaara will also be Waajib. (*Durrul Mukhtaar*)

3. If a person passed away in the illness or before returning from his journey, he will not be accountable in the Aakhirah for the fasts he missed during the illness or the journey because he did not have the opportunity to observe the Qadhaa. (*Durrul Mukhtaar*)

4. If the person missed ten fasts and lived only five days after recovering from the illness without observing the Qadhaa, he will be answerable for only five and the other five will be forgiven. However, if he lived for ten days after recovering and did not observe the Qadhaa, he will be answerable for all ten fasts and if he has the wealth, he should bequest that the Fidya for all the missed fasts should be paid. (*Durrul Mukhtaar*)

5. If a pregnant or breast-feeding woman fears that fasting would cause harm to either herself or her child, she will be allowed to miss the fast and observe the Qadhaa as soon as she can. (*Fatawaa Raheemiyyah* Vol.3)

6. It is necessary for a Musaafir to observe the Qadhaa fasts for the fasts he missed as soon as he returns from his journey. (*Fatawaa Raheemiyyah* Vol.3)

7. If a person is so old that s/he cannot fast, Fidya should be given to the poor in lieu of every missed fast. However, if Allaah restores the person's strength and vigour, s/he should observe the Qadhaa. (*Fatawaa Raheemiyyah* Vol.3)

8. It is not permissible for women experiencing Haidh or Nifaas to fast. Their fasts will be invalid and they will be sinful for fasting in their conditions. It will be necessary for them to observe the Qadhaa fasts as soon as they stop bleeding. (*Fatawaa Raheemiyyah* Vol.3)

9. If a pregnant woman strongly feels that either she or her child will be harmed if the fast is not terminated, it will be permissible for her to terminate the fast without Kaffaara becoming Waajib on her. However, Qadhaa will be waajib. If she terminates the fast without good reason, Kaffaara will be incumbent. However, the obligation of Kaffaara will be waived if the child is born before sunset of that day. (*Ahsanul Fatawaa* Vol.4)

10. If after recovering from the illness, a person is still weak and feels that fasting may cause a relapse, it will be permissible for him not to fast. (*Durrul Mukhtaar*)

11. When a Musaafir decides to stay at a particular place for fifteen or more days, it will no longer be permissible for him/her to miss any fasts because s/he is no longer classified a Musaafir in terms of the Shari'ah. However, if s/he stays over for a period less then fifteen days, the fasts may be missed (and Qadhaa observed afterwards). (*Durrul Mukhtaar*)

12. A person suffering from bleeding piles is allowed to miss the fasts but has to observe the Qadhaa as soon as the condition is cured and s/he is well enough to fast. A person will only be allowed to pay the Fidya if the disease s/he is suffering from is incurable. (*Shaami*, *Fatawaa Daarul Uloom* Vol.6)

13. If a diabetic is unable to fast, it will be permissible to miss the fasts. However, Qadhaa will be necessary as soon as s/he is well again. However, if there is no hope of being cured, Fidya should be paid.

The Fidya for each fast equals the amount of Sadaqatul Fitr. (*Durrul Mukhtaar*, *Fatawaa Daarul Uloom* Vol.6)

Factors Because of Which it is Permissible to Terminate the Fast

1. If a person suddenly fell ill and it became necessary to terminate the fast to prevent death or to prevent the condition from worsening, it will be permissible to terminate the fast. Examples of this are a person suddenly developing excruciating abdominal pain or being bitten by a snake, because of which s/he requires emergency treatment involving the administering of oral medication. A person in danger of dying of thirst will also be allowed to terminate the fast. (*Hidaayah Vol.1*)

2. If a person cooked so much (or did other intensive work in hot conditions) that s/he became extremely thirsty, it will be permissible for him/her to terminate the fast if the thirst is unbearable and may lead to death. However, if the work was taken on intentionally, the person will be sinful. Nevertheless, she will still be permitted to terminate the fast. (*Shaami*)

Factors That will Render the fast Makrooh Without Nullifying it

1. Tasting something without allowing it to go down the throat. The act will however not be Makrooh when there is a need e.g. when a woman's husband is very ill-tempered.

2. Collecting and swallowing saliva because there is a possibility that the fast might break.

3. Doing such an act while fasting that will most probably lead to weakness. If one does not feel that the act will lead to weakness, it will not be Makrooh.

4. It is preferable not to remain in a state of impurity (*Janaabah*) until dawn in Ramadhaan and best to bath at night (without having to start the fast in a state of impurity).

5. Although it is Haraam to backbite at any time, the sin is multiplied when one is fasting.

6. The fast also becomes Makrooh because of fighting, arguing and swearing, even though one may be swearing an inanimate object.

7. It is also Makrooh to use toothpaste, tooth powder or any other ointment in the mouth. (*Jawaahirul Fiqh*)

Factors that will Not Render the Fast Makrooh

1. Brushing with a Miswaak.
2. Applying oil on the head.
3. Applying drops or kohl to the eyes.
4. Applying perfume.
5. Bathing because of feeling hot or thirsty.
6. To have an injection.
7. Eating or drinking by mistake.
8. Smoke, dust or an insect unintentionally going down one’s throat.
9. Water getting into the ears either intentionally or unintentionally.
10. Vomiting unintentionally.
11. Wearing wet clothing to keep cool.

Injunctions Concerning Fasting Vows

1. When a person vows to fast, it will be Waajib for him/her to do so. S/he will be sinful if the fast is not observed. (*Nurul Idhaa*)

2. Such fasts are of two types. The first is the fast that has a specified date, e.g. a person says, "O Allaah! I shall fast tomorrow if this work is accomplished" or he says, "O Allaah! I shall fast next Friday if this work is completed." This fast will be valid if one made the Niyyah the previous night. If this is not done, she can make the Niyyah an hour before midday as well. (*Kanzud Daqaa'iq*)

3. The second type is that avowed fast that has no specified date, e.g. a person says, "O Allaah! I vow to fast for a day if this work is accomplished". One may also vow to fast without attaching a clause e.g. someone says, "O Allaah! I vow to observe five fasts." For such a fast, it is necessary to formulate the Niyyah the night before the fast. If the Niyyah was made after dawn, the fast will be regarded as a Nafl fast and not as an avowed fast. (*Qudoori*)

4. If a person vowed to fast on a Friday (without specifying the exact date) and when the Friday arrived, he decided to fast. However, he did not specify that the fast should be for the vow or he made the intention of a Nafl fast. In this case, the fast will be for the vow. On the other hand, if he had intended to observe a Qadhaa fast on that Friday, the avowed fast will not be counted but the Qadhaa fast instead. (*Sharhul Wiqaayah*)

5. If a person vowed to fast continuously, the continuity would be necessary. Therefore, if he did not maintain the continuity and missed a fast in between, he will have to start all over again. (*Durrul Mukhtaar*)

6. If a person vowed to fast on Eid day, such a fast will be invalid. He will have to fast another day in its place. (*Hidaayah*)

Injunctions pertaining to Nafl fasts

Hadhrat Aa'isha رضي الله عنها says, "When Rasulullaah ρ started to fast, we would say that he would never stop fasting. On the other hand, when he stopped fasting we would say that he would now never fast again." This Hadith means that Rasulullaah ρ did not always observe Nafl fasts. However, his practice was to sometimes fast continuously to the extent that people thought he would never stop fasting. At other times, he would not fast for a considerable period of time, to the extent that people would think that he would not observe any more Nafl fasts. (*Mazaahire Haqq Vol.2*)

1. Whether a person specifies that he is observing a Nafl fast or whether he merely states that he is fasting, in either case a Nafl fast will be counted. (*Qudoori*)

2. The Niyyah for fasting can be made up to an hour before midday (before or the Sun reaches its zenith). Therefore, if a person had nothing to eat or drink up to 10 o clock in the morning, and then decides to start a fast, the fast will be valid. (*Qudoori*)

3. Women may not observe Nafl fasts without the permission of their husbands. If a woman started a fast without her husband's permission, it would be permissible for her to nullify the fast upon the insistence of her husband. Thereafter, she may observe the Qadhaa fast whenever he permits. This injunction applies only when the husband is at home. However, she is permitted to fast when her husband is ill, when he is also fasting and when he is in the state of Ihraam for Hajj or Umrah. (*Fatawaa Khaaniyya*)

4. If a person made the intention to fast on the day of Eid, it would be necessary for him to terminate this fast. There would be no Qadhaa due for terminating this fast. (*Hidaayah*)

5. If a woman started a Nafl fast, and during the day experienced Haidh, it will be necessary for her to keep the Qadha once the bleeding stops. *(Raddul Mukhtaar, Ahsanul Fatawa* Vol.4)

6. Great virtues have been mentioned for observing six fasts during the month of Shawwaal. Rasulullaah ρ has mentioned that the person who observes six fasts after the fasts of Ramadhaan will receive a reward equivalent to fasting the entire year. It is however not necessary to start these fasts immediately after the day of Eid, neither is it necessary to observe them consecutively. (*Nurul Idhaa*, *Durrul Mukhtaar*, *Fatawaa Raheemiyyah* Vol.2)

7. By fasting on the 13th, 14th and 15th of each month, a person will receive the reward of fasting the entire year. Rasulullaah ρ always observed these fasts together with fasting on each Monday and Thursday of the week. (*Maraaqil Falaah*)

Injunctions pertaining to Fidya

1. If a person has become so old that she is unable to fast, or she is suffering from an illness she does not expect to be cured from, then in lieu of each fast that she missed, one poor person should be given grain equivalent to Sadaqatul Fitr. It is also permissible to feed a poor person morning and evening for one day. This feeding of a poor person in lieu of a fast that is missed is called Fidya in the terminology of the Shari'ah. It is also permissible to give the poor person the equivalent monetary value of the grains. (*Hidaayah*)

2. It is also permissible to divide the value of the grains into smaller portions to be given to several poor people. (*Fatawaa Raheemiyyah* Vol.5, *Raddatul Mukhtaar)*

3. If a person recovers after having paid the Fidya, it will be necessary to observe the Qadhaa of the missed fasts. The person would be rewarded separately for the Fidya already paid. (*Shaami*)

4. The Fidya it should be paid to all those people who are deserving of Zakaah.

5. It is permissible to give the Fidya for all the missed fasts to a single poor person. However, since there is a difference of opinion in this matter, it is therefore best not to do this. Similarly, it is also permissible to pay the Fidya of all one's salaah to a single poor person. (*Aap ke Masaa'il awr un ka Hal*, *Fatawaa Raheemiyyah* Vol.6)

6. If a person is so poor that he is unable to afford the Fidya for his fasts, he should suffice with asking forgiveness from Allaah. He should also have the intention to pay the full amount as soon as he is financially able. (*Ahsanul Fatawaa* Vol.4, *Aap ke Masaa'il awr un ka Hal*) It should however be remembered that the Fidya for missed salaahs cannot be paid during one's lifetime. A person is required to perform the Qadhaa salaah as best as she can. If she is unable to stand, she may do so in a sitting position and if this is also not possible, she may offer the Qadhaa while lying down or even by indications of the head. (*Ahsanul Fatawaa*)

7. Fidya for the fasts of Ramadhaan may not be paid before the beginning of Ramadhaan. However, once Ramadhaan has started, it would be permissible to pay the Fidya for the forthcoming days. On the contrary, it is permissible to pay Sadaqatul Fitr before the beginning of Ramadhaan. In fact, it is also permissible to pay it a few years ahead of time. (*Ahsanul Fatawaa* Vol.4)

8. Anything may be given as Fidya, example clothing etc. (*Raddul Mukhtaar*, *Ahsanul Fatawaa* Vol.4)

9. It is not permissible of to give Fidya or Kaffaara to non-Muslims. (*Raddul Mukhtaar*, *Ahsanul Fatawaa* Vol.4)

10. The Fidya for a single fast is equivalent to 1.640 kilograms of wheat flour or the equivalent monetary value. The exact amount should be calculated by the Ulema of each era. (*Ahsanul Fatawaa* Vol.4)

11. The Fidya for salaah missed is equal to that of a fast that his missed. It is necessary to calculate a separate amount of Fidya for each of the five salaah performed during the day in addition to the one Witr salaah, making a total of six salaah. (*Durrul Mukhtaar*)

12. If a person has missed several fasts during his lifetime, it will be necessary for him to bequest that the Fidya for these fasts be paid from his estate. After deducting funeral expenses and settling all debts, the executor of the estate should separate one-third of the estate from the rest. The Fidya may be paid from this one third only. If the funds are sufficient, the Fidya should be paid. However, if the funds are insufficient, the executor should pay as much of the amount as is possible. (*Shaami*)

13. If a person did not bequest that Fidya be paid from his estate and the heirs decided to do so from their own pockets, there is hope that their deceased will not be taken to task for the missed fasts. Without an explicit bequest, it will not be permissible to pay the Fidya from the estate of the deceased. In a like manner, it will not be permissible to use more than one-third of the estate to pay the Fidya even though the deceased made a bequest to the effect. In such a case, if all the heirs are mature and all agree to have the Fidya paid from their shares, it will be permissible to do so. However, if any one of the heirs is not mature, his or her permission will not be taken into account. All the mature heirs will then have to

pay the balance after first separating the immature heir’s share. (*Durrul Mukhtaar*)

14. It is not permissible to use the funds of Fidya to pay the debts of any person in debt. However, if the person in debt is deserving of Zakaah, the money can be given to him. (*Fatawaa Daarul Uloom, Raddul Mukhtaar*)

I’tikaaf

For a woman, the Sunnah I’tikaaf refers to confining herself in a room of her house that is designated for performing salaah in such a way that she only leaves for the purposes of fulfilling the call of nature or preparing meals if no other arrangements are possible. This would take place from sunset of the 20^{th} of Ramadhaan and only terminate when the moon is sighted for the day of Eid, which could either be the 29^{th} or 30^{th} of Ramadhaan. There are great rewards attached to I’tikaaf. If there is someone to provide meals for her, it will not be permissible for her leave the room for this purpose either. She should live and eat in the same room and sleep there as well. It is best and that she wastes no time and engages in the recitation of the Qur'aan, performance of Nafl salaah and Dhikr. The I’tikaaf should be abandoned once she experiences Haidh or Nifaas because I’tikaaf is not valid in these conditions. (*Shaami*)

1. If a there is no designated room in a woman's house for salaah, she should designate a place for herself to observe I’tikaaf.

2. If a woman started menstruating while observing I’tikaaf, she should at least repeat that day of I’tikaaf in which the menstruation started. If she prefers, it would be best for her to repeat all 10 days or the number of days that she missed. The days that she repeats has to be coupled with fasting. (*Badaa’ius Sanaa’I*, *Fatawaa Raheemiyyah* Vol.8)

3. If a person did not start the I’tikaaf from before sunset of the 20^{th} of Ramadhaan and only started afterwards, the I’tikaaf could be completed but the virtues will not be the same as a complete ten days. The I’tikaaf of Rasulullaah ρ lasted for 10 days, which can only be completed by starting from sunset of the 20^{th}. (*Durrul Mukhtaar*, *Fatawaa Daarul Uloom* Vol.6)

4. Fasting is a precondition for observing the Sunnah Mu’akkadah I’tikaaf during the last 10 days of Ramadhaan. The I’tikaaf is invalid without fasting. If the I’tikaaf was invalidated for some reason, only one day’s I’tikaaf will have to be repeated according to Imaam Abu Haneefah رحمه الله and Imaam Muhammad رحمه الله because they regard each day separately. However, according to Imaam Abu Yusuf رحمه الله, all ten

days or at least that amount of days will have to be repeated that were left incomplete. It is safest to practise on the opinion of Imaam Abu Yusuf رحمه الله. (*Fatawaa Raheemiyyah* Vol.5)

5. If there is no one to provide meals for a woman observing I'tikaaf, she may prepare their meals in the same room because the laws governing a proper Masjid do not apply to her room. (*Fatawaa Mahmoodiyyah* Vol.13)

6. Once a woman has entered the designated area for the purposes of I'tikaaf, it will not be permissible for her to move to another place. If she does this, her I'tikaaf will be rendered invalid even though it is a separate portion of the same room or another room within the same house. (*Fatawaa Aalamgeeri*)

7. If a woman had no designated place in the house for salaah before observing her I'tikaaf and did not even designate an area before commencing her I'tikaaf but merely sat down wherever she pleased, the I'tikaaf will not be valid. (*Shaami*)

8. If a woman had a place in her house designated for the purposes of salaah and then opted to observe her I'tikaaf in another place that she found more convenient, the I'tikaaf will not be valid. The example of this is like a man who chooses not to observe I'tikaaf in a Masjid but rather in another place that he finds more convenient. Just as such a man's I'tikaaf will not be valid, this woman's I'tikaaf will also not be valid. (*Shurhul Wiqaayah*)

9. It will however be permissible for a woman to switch her salaah area to another e.g. designating one area for summer and another for winter. Therefore, if before the I'tikaaf she had already decided that she would perform her salaah in another area, it would now be permissible for her to observe the I'tikaaf in the same area. (*Fatawaa Aalamgeeri*)

10. A woman has to obtain the permission of her husband in order for her to observe I'tikaaf. (*Fatawaa Aalamgeeri*)

11. A woman has to obtain the permission of her husband to perform I'tikaaf even though she had made a vow to do so. Although she does not require permission to take the vow, his permission would be necessary to fulfil it. If the husband does not give her

permission, she may fulfil her vow after his death or after being divorced from him. If neither occurs, she should make a bequest to the effect. (*Badaa'ius Sanaa'i*)

12. Once the husband has granted permission for his wife to observe I'tikaaf, he no longer reserves the right to stop her. (*Badaa'ius Sanaa'i*)

13. If a woman was divorced while she was observing I'tikaaf in a house other than her own, she may move to her own house for the Iddah. In such a case, her I'tikaaf will not be nullified and she may comfortably complete the remaining days of I'tikaaf at home.(*Fatawaa Aalamgeeri*)

14. If a woman started menstruating while observing Nafl I'tikaaf, the I'tikaaf will terminate and it will not be necessary for her to observe the Qadhaa. (*Fiqhi Rasaa'il*)

NOTE: All factors that nullify the I'tikaaf of males will also nullify the I'tikaaf of females.

Zakaah

1. Zakaah is one of the fundamental pillars of Islaam. It was made obligatory during the year 2 A.H. Its obligatory nature is well documented and proven from the Qur'aan, the Sunnah and Ijmaa (consensus of the Ummah). According to Imam Shaami رحمه الله, Zakaah is mentioned together with salaah in 32 instances in the Qur'aan. (*Fatawaa Daarul Uloom* Vol.6)

   Rasulullaah ρ has mentioned in a Hadith that Islaam is founded on 5 pillars. These are:

   - Testifying that there is none worthy of worship but Allaah and that Muhammad ρ is the messenger of Allaah.
   - To establish salaah.
   - To pay Zakaah.
   - To perform Hajj of the Kabah.
   - To fast during the month of Ramadhaan.

2. Another Hadith states that the person who pays the Zakaah of his wealth has dispelled the evil from his wealth. (*Kanzul Ummaal*, *Majma'ul Fatawa*)

3. Yet another Hadith advises people to protect their wealth by means of paying Zakaah, to treat diseases through Sadaqah and to ward off calamities and hardship by way of making du'aa. (Abu Dawood)

4. Rasulullaah ρ has mentioned that the person who has gold and silver but does not pay the Zakaah due on his wealth, the same gold and silver will be made into tablets on the Day of Qiyaamah, heated in the fire of Jahannam and be used to brand his sides, forehead and back. As the tablets cool off, they will be reheated in the fire to brand the person again and again. (Mishkaatul Masabeeh)

5. Rasulullaah ρ has also mentioned that when Allaah grants wealth to a person and he fails to pay Zakaah, the same wealth will be transformed into an extremely poisonous bald snake on the Day of Qiyaamah. It will wrap itself around his neck and bite his jaws saying, "I am the very same wealth of yours! I am your treasures!"

(Ibn Maajah) May Allaah protect us all. Who can possibly endure such punishment! It is foolish to invite such severe punishment merely because of a little greed in this world. Failing to give back to Allaah the wealth that He had given us is truly an act of great miserliness.

6. Hadhrat Aa'isha رضي الله عنها reports that she once came before Rasulullaah ρ wearing a silver ring. "What is this?" Rasulullaah ρ asked her. She replied, "I had it made so that I may beautify myself before you." "Have you paid Zakaah for this ring?" Rasulullaah asked. Hadhrat Aa'isha رضي الله عنها replied, "No, I have not." Rasulullaah ρ then said to her, "In that case, the fire of Jahannam will be sufficient." This narration confirms that Zakaah should be paid on jewellery as well. (*Ashraful Hidaayah*)

The Status of Niyyah in Zakaah

1. Niyyah is necessary in all instances because it is by the Niyyah that the effects of deeds are realised. It is therefore necessary to formulate a Niyyah at the time of paying Zakaah. Otherwise, if a person puts money aside for Zakaah, it is necessary to formulate the Niyyah at the time of separating the money. If a person did not make a specific Niyyah for Zakaah and did not even separate a sum of money specifically for Zakaah, but continued to pay small sums of money as Zakaah without making the Niyyah when separating the money or when paying it out, this will not be regarded as Zakaah. However, if at the time of paying it, someone asked him what the money was for and she immediately replied that it was for Zakaah, the money will then be regarded as Zakaah. It will however not be counted as Zakaah if she says that the Sadaqah she had been giving throughout the year should be regarded as Zakaah. (*Siraajiyyah*)

2. When another person is made the representative to hand over Zakaah money to the poor, it is sufficient to formulate the Niyyah at the time of appointing the representative. If the Niyyah was not made at the time of appointing the representative, it would be fine to formulate it at the time of handing the money over to him/ her. (*Jowhara Nayyirah*)

3. It may occur that a person formulates the Niyyah only after handing over the money to the poor. In such a case, the Niyyah will be correct only if the poor person had not yet spent the money and still had it in his possession. If he had already spent the money, the Niyyah will be incorrect. (*Fatawaa Daarul Uloom, Bahrur Raa'iq, Hidaayah*)

4. It may happen that a person paid someone else's Zakaah from that person's own wealth and only received permission to do so after the money had already been given to the poor. In this case also, the money will be counted as Zakaah only if the poor person still had the full amount with him and had not spent any of it. If the poor person had already spent the money, Zakaah will not be discharged. (*Siraajiyyah*)

5. If a person donated all of his/her wealth in charity, she will be absolved of the obligation to pay Zakaah. Because he now has no money to pay Zakaah, he will no longer be obliged to do so. (*Fatawaa Aalamgeeri*)

6. It is sufficient to formulate the Niyyah at the time of separating the Zakaah from the rest of the wealth. Thereafter, it is not necessary to make the Niyyah each time that one gives the money to the poor. (Fiqhuz Zakaah)

The Conditions for Zakaah to Become Waajib

1. To be a Muslim. Zakaah is not compulsory for a non-Muslim.

2. To be mature. Zakaah is not compulsory for someone who has not reached the age of puberty.

3. To be sane. Zakaah is not compulsory for an insane person.

4. The wealth has to be in one’s possession for a complete year.

5. A person has to be the owner of Nisaab at both the beginning and the end of the year. This will apply irrespective of whether the wealth diminishes during the year. Of course, Zakaah will not be of Fardh if the person's wealth diminishes to a value less than that of Nisaab either at the beginning or at the end of the year.

6. To be a free person and not a slave.

7. The wealth exceeding the value of Nisaab should not include necessities because Zakaah is not compulsory on basic necessities. There are several other conditions as well, which should be sourced from the learned scholars of Islaam.

The Nisaab of Zakaah

1. If a person owns 612,35g of silver, 87.479 g of gold or the monetary equivalent of 612,35g of silver, Zakaah with be Fardh on this wealth if it was in the person's possession for a complete year. Zakaah will not be Fardh if the wealth is less than this. However, it would be Fardh for any amount exceeding this. (*Durrul Mukhtaar*)

2. If all the wealth was destroyed, Zakaah will no longer be Fardh even though the time for paying the Zakaah had already passed by. This will however not to apply if the person intentionally destroyed his wealth. In such a case, the obligation will not be absolved. (*Ilmul Fiqh*, Vol.3)

3. One may pay as Zakaah the very same commodity on which Zakaah has become compulsory or the monetary value of the commodity. The price of the commodity during the time of paying Zakaah should be taken into consideration even though it may be more or less than the original value (at the time that it was purchased). (*Ilmul Fiqh*, Vol.3)

4. Zakaah will be Fardh on a person possessing wealth to the value of Nisaab even though he was in a coma for the entire year. (*Fatawaa Aalamgeeri*)

5. Zakaah is not Fardh for a child who has not reached the age of puberty because the Shari'ah stipulates that children are not constrained to fulfil the laws of the Shari'ah. (*Fatawaa Daarul Uloom, Durrul Mukhtaar*)

6. After the expiry of a lunar year Zakaah becomes obligatory on the amount that is in a person's possession at the time. If a person possessing Nisaab is not aware of the exact lunar date on which Zakaah becomes due, then after giving the matter due deliberation she should stipulate a date based on a balance of probabilities. If this is not possible, she should fix a date to use. (*Ahsanul Fatawaa*, *Aap ke Masaa'il awr un ka Hal*)

7. If a person did not pay Zakaah for a year and his wealth then increased the following year, the Zakaah for the first year will be

calculated on the amount with which he ended the first year. The amount with which he ended the second year will be used to calculate the Zakaah for the second year. (*Aap ke Masaa'il awr un ka Hal*)

8. If a person possessed Nisaab at the beginning of the year and his wealth diminishes during the year but then again reaches Nisaab at the end of the year, Zakaah will be due from him/her. The obligation to pay Zakaah will only be waived if all his wealth is destroyed. If however, s/he regains his wealth, the obligation to pay Zakaah will return and she will start calculating the Zakaah year from the time that the wealth returns. (*Hidaayah*)

9. If a woman owns jewellery equal to 612,35g of silver or 87.479 g of gold, she will be liable to pay Zakaah even though she does not wear the jewellery at all. (*Durrul Mukhtaar*)

10. If jewellery for personal use (not for sale) has precious stones or pearls in it, Zakaah will not be due on the value of the stones and pearls. The stones and pearls will not be regarded as part of the gold if they are distinguishable from the gold. This is the Fatwa of Hadhrat Moulana Ashraf Ali Thanwi رحمه الله. However, it will be best if a person includes the value of the stone to that of the gold so that there is more benefit for the poor, there remains no doubt with regards to the fulfillment of Zakaat. According to the Fatwa of Hadhrat Mufti Azeezur Rahmaan رحمه الله , Zakaah should be paid on the combined value of the stones together with the gold. (*Fatawaa Raheemiyyah* Vol.7)

11. If a person has 612.35 g of silver and his debts equal the value of this silver, Zakaah will not be due from him. (*Qudoori*)

12. However, Zakaah will be due from him if after settling the debts, he is left with the amount of Nisaab (i.e 612.95g of silver). (*Qudoori*)

13. There is no month or day specified by the Shari'ah in which Zakaah is to be paid. However, there are certain days and months that are blessed when it is best to pay one's Sadaqah, Zakaah, etc. An example of this is the month of Ramadhaan. It is however necessary that the Zakaah be paid within the month that it becomes due, after which that month would be become specified. (*Fatawaa Daarul Uloom* Vol.6)

14. If a woman has gold and silver jewellery, the combined value of which equals the Nisaab of silver (612,35g), Zakaah will be Fardh. (*Bahrur Raa'iq*, *Fatawaa Daarul Uloom*)

15. If a person dies without paying Zakaah, the Zakaah cannot be paid from his estate because Niyyah is compulsory and this condition is not found in this case. However, if the deceased person made a bequest that his Zakaah should be paid from his estate, it is permissible to use only one-third of his estate to pay it because only a third can be used for bequests. If the mature heirs permit, all the wealth can be used to be pay off the Zakaah. (*Durrul Mukhtaar*, *Fatawaa Aalamgeeri*)

16. A widow is not obliged to pay off the outstanding Zakaah of her deceased husband. The responsibility is his and he will have to bear the sin. It will be commendable if the heirs choose to do so from their own goodwill (although they are not obliged either). (*Aap ke Masaa'il awr un ka Hal* Vol. 3)

17. When a man has debts (exceeding his wealth) and his wife has jewellery, Zakaah will still be due because the onus is hers. (*Aap ke Masaa'il awr un ka Hal*)

18. If a woman owns jewellery equal to the value of Nisaab, it will be Waajib for her to pay for Zakaah. However, it would be permissible for her husband to pay it on her behalf or for her to take it from him and pays it. If she saves up her allowance money that she receives from her husband to pay the Zakaah, this will also be permissible. If none of these are possible or she has no wealth of her own, it will be necessary for her to pay the Zakaah from the very same jewellery even though she has to sell a part of it. (*Fatawaa Daarul Uloom*, *Aap ke Masaa'il awr un ka Hal*)

19. If a person had jewellery made for his daughter's marriage and has handed it over to her, it will neither be necessary for him nor for his daughter to pay Zakaah for this jewellery as long as she is not mature. However, as soon as she reaches the age of puberty, it would be Fardh for the daughter to pay Zakaah for this jewellery. If the jewellery is not the property of the daughter, it will be necessary for the owner to pay Zakaah on it if it is equal to or is more than the value of Nisaab. (*Fatawaa Mahmoodiyyah* Vol.11)

20. Zakaah will not be paid for items (even jewellery) made of steel, copper, brass or anything that is gold plated as long as these items are not stock in trade. Similarly, clothing and shoes that are for personal use (not for sale) will also not be evaluated for Zakaah purposes. This applies regardless of whether these items are equal to 612.35 grams of silver or 87.479 grams of gold. If these items are stock in trade their collective value should be summed up. If their value equals or exceeds 612.35 grams of silver or 87.479 grams of gold, Zakaah will be paid on these goods when they have been in one's possession for a complete lunar year. If their value is less, then Zakaah will be payable. When such items are not stock in trade, no Zakaah will be due on them even though their value goes into thousands. (*Qudoori*)

21. If a person who possesses wealth equal to Nisaab decides to pay his Zakaah before the expiry of a complete year, the Zakaah will be in order. However, if a person did not have wealth equal to Nisaab, but paid Zakaah because he anticipated that he would receive some wealth equal to or more than Nisaab, this Zakaah will not be correct. It will only be necessary for him to pay the Zakaah after he had received the wealth and a complete lunar year had passed. (*Hidaayah*)

22. A woman is not obliged to pay Zakaah on her dowry before receiving it. (*Fatawaa Daarul Uloom* Vol.6, *Durrul Mukhtaar*, *Fatawaa Mahmoodiyyah*)

23. Zakaah is not due on any precious stone mounted on gold jewellery. (*Aap ke Masaa'il awr un ka Hal*)

24. No Zakaah will be due on a necklace made of pure pearls. However, Zakaah will be due on it if it is merchandise in trade. (*Raddul Mukhtaar*)

25. According to they Hanafi Madh'hab, when an item is made up of several metals or alloys, that metal or alloy which constitutes the greatest part of the item with be taken into account, whether this be gold, silver or any other metal. Therefore, if silver is added to an item made of gold and the gold constitutes the larger portion, the entire item would be regarded as gold if the gold constitutes the greater proportion. Zakaah will therefore be paid accordingly and

the entire item will be regarded as gold. However, if silver constitutes the larger portion of the item, the entire item will be regarded as silver and Zakaah has to be paid if the value is equal to Nisaab. (*Kitaabul Fiqh*, *Fatawaa Mahmoodiyyah* Vol. 3)

26. If jewellery is equal to or exceeding the value if Nisaab is given to a woman as dowry, it would be compulsory for her to pay Zakaah on it. The responsibility does not lie with her husband. (*Fatawaa Daarul Uloom* Vol.6, *Raddul Mukhtaar*)

27. And if a woman inherits wealth equal to or greater than the value of Nisaab from her husband, it would be compulsory for her to pay Zakaah on the wealth. On the other hand, if any immature child inherits such an amount of wealth from hisher deceased parents, Zakaah will not be compulsory on the child until she reaches the age of puberty. (*Aap ke Masaa'il awr un ka Hal*)

28. The value of things at that time of paying Zakaah will be taken into consideration when calculations are made. (*Fatawaa Daarul Uloom*)

29. The value that an item holds in the place where it is situated will be taken into consideration and not it's value in the place where the payer of Zakaah is located. For example, a person is situated in South Africa while his wealth is somewhere in India. In such a case, the value that the item holds in India will be taken into consideration when paying Zakaah and not the value that it holds in South Africa. By the same token, the lunar year used for the calculation of Zakaah will be the lunar year being used in the country where the item is situated. (*Ahsanul Fatawaa* Vol. 4)

30. It is permissible to give Zakaah to a poor woman whose husband owes her dowry but is too poor to pay it even though the value of the dowry is more than the value of Nisaab. Similarly, it will also be permissible to give Zakaah to such a lady when her husband is wealthy but refuses to pay her dowry or when she has written it off. It will however not be permissible to give her Zakaah money when she is hopeful of receiving her money as soon as she asks her husband for it. (*Durrul Mukhtaar*)

31. Zakaah is payable on a loan that is given to someone. A person however does have the choice of either paying each year's Zakaah at the end of each year or paying the entire amount for all the past

years soon as the debt is paid back. (*Fatawaa Raheemiyyah*, *Kifaayatul Mufti*)

32. If a person's debtor is a poor man and the creditor writes off the entire debt after a year, no Zakaah will be due from the creditor. On the other hand, if the debtor is a rich man, Zakaah for the previous year will still be due from the creditor because of the situation is similar to a person who intentionally destroys his wealth after Zakaah has become compulsory for him. (*Fatawaa Aalamgeeri*)

33. If a person had separated a sum of money with the intention of paying Zakaah, he will be allowed to use the money for another purpose if the need arises because the money has not yet left his possession. (*Fatawaa Mahmoodiyyah* Vol.11, *Aap ke Masaa'il awr un ka Hal*)

34. If one fears that if one gives Zakaah money to a poor person to settle his debts, the person would use the money for other purposes instead, it would be permissible to give the money directly to the creditor. However, it is necessary to first secure the permission of the debtor. It is not necessary to inform the debtor that the money is Zakaah funds. (*Ahsanul Fatawaa* Vol.4) It should however be remembered her that if the debtor is a member of the family of Rasulullaah ρ, the Zakaah will not be discharged even though their debt is settled. (*Fatawaa Mahmoodiyyah* Vol. 17)

Worthy recipients of Zakaah

1. It is permissible to give Zakaah to the following person's if they are deserving:

    - Real brothers and sisters (same mother, same father)
    - Consanguine brothers and sisters (same father, different mother)
    - Uterine brothers and sisters (same mother, different father)
    - Suckling brothers and sisters (children suckled by the same wet nurse)
    - Paternal uncles and aunts
    - Maternal uncles and aunts
    - Foster parents
    - Parents-in-law
    - Children of all the above categories
    - Parents of a rich person
    - Children of a rich person provided that they have reached the age of puberty
    - The wife of a rich person
    - The husband of a rich wife
    - Sons-in-law and daughters-in-law
    - One's teacher
    - One's a pupil
    - A traveller who has no wealth with him even though he may have sufficient wealth at home
    - The immature children if a poor man even though their mother may be wealthy
    - The husband's children from another wife
    - The wife's children from another husband

2. It is permissible to give Zakaah to a person whose expenses exceed his income.
3. It is permissible to give Zakaah to any person whose wealth is less than the value of Nisaab even though he is healthy and earns an income.
4. When a person pays Zakaah or donates charity, she should first keep his/her relatives in mind. They should be the first to receive such wealth if they are deserving. However, they should not be informed that the money is Zakaah or charity so that their feelings

are not hurt in any way. The Ahadeeth make it clear that a person's rewards are doubled when she gives charity to hisher relatives. While such a person will receive the reward of charity, she will also receive of the reward of maintaining good family ties. Whatever is left after giving to relatives should then be given to others.

Note: The above was extracted from *Ahsanul Fatawaa*, *Imdaadul Fatawaa, Fatawaa Daarul Uloom, Fatawaa Mahmoodiyyah, Fatawaa Aalamgeeri, Kitaabul Fiqh, Tahtaawi, Aap ke Masaa'il awr un ka Hal* and *Hidaayah.*

People to whom Zakaah cannot be given

1. It is not permissible to give Zakaah do with the following groups of people:

    - One's parents, paternal grandparents, great grandparents, great great grandparents and their ancestors
    - One's maternal grandparents, great grandparents, great great grandparents and their ancestors
    - One's real sons, grandsons, great grandsons and all their descendants
    - One's real daughters, granddaughters, great granddaughters, and all their descendants

2. Just as a husband cannot give Zakaah to his wife, a wife cannot give Zakaah to her husband.

3. A man cannot give Zakaah to his divorced wife who is still observing her Iddah.

4. It is not permissible to give Zakaah to a widow and her immature children if she possesses wealth equivalent to Nisaab.

5. It is also not permissible to give Zakaah to the family of Rasulullaah ρ. If they are poor and in need of financial assistance, they should be assisted with money that is not from Zakaah.

6. It is not permissible to use Zakaah money to pay for burial expenses.

7. Zakaah money cannot be used in situations where the recipient is not made the owner of the money.

8. Zakaat cannot be used to build Masaajid, Madrasahs, roads, orphanages or to dig wells.

9. Zakaah cannot be given to non-Muslims.

Note: The above was extracted from *Ma'aariful Qur'aan, Fatawaa Daarul Uloom, Ahsanul Fatawaa, Aap ke Masaa'il awr un ka Hal,*

Fatawaa Aalamgeeri, Kitaabul Fiqh, Fatawaa Mahmoodiyyah, Fiqhuz Zakaah and Imdaad Masaa'il Zakaah.

Injunctions Pertaining to Sadaqatul Fitr

1. Sadaqatul Fitr is Waajib on every Muslim who has wealth equal to Nisaab.

2. When a person has assets (even though not stock in trade and although for a period of less than a year) equal to the value of 612.35 grams of silver or 87.479 grams of gold, such a person is liable to pay Sadaqatul Fitr. (*Aap ke Masaa'il awr un ka Hal*)

3. Any person worthy of receiving Zakaah is worthy of receiving Sadaqatul Fitr as well. On the contrary, every person who cannot receive Zakaah cannot accept Sadaqatul Fitr either. In fact, such a person ought to pay Sadaqatul Fitr to others.

4. It is Waajib for a woman to pay Sadaqatul Fitr. It is however not compulsory for her to pay on behalf of any other person, neither her children, nor her parents, nor her husband, nor anybody else. (*Shaami*)

5. If an immature child has that much of wealth that Sadaqatul Fitr becomes Waajib for him or her, it should be paid from the wealth of the child. (*Fatawaa Aalamgeeri*)

6. Sadaqatul Fitr will not be compulsory on any child born after Subh Saadiq of the day of Eid. (*Aap ke Masaa'il awr un ka Hal*)

7. By the same token, Sadaqatul Fitr will not be compulsory on any person who dies before Subh Saadiq of the day of Eid.

8. A person who has never paid Sadaqatul Fitr will never be absolved of the responsibility until he pays it.

9. Sadaqatul Fitr is also Waajib on a person who has not fasted during the month of Ramadhaan. (*Fatawaa Aalamgeeri*)

10. It would be permissible for several persons to give their Sadaqatul Fitr to a single poor person. (*Fatawaa Aalamgeeri*)

11. A single person may also distribute his Sadaqatul Fitr amongst a few poor people. (*Aap ke Masaa'il awr un ka Hal*)

12. The only reason why Sadaqatul Fitr is not distributed before the month of Ramadhaan is because this is contrary to caution. (*Bahrur Raa'iq*, *Fatawaa Raheemiyyah*)

13. If a person wishes to pay his Sadaqatul Fitr in another country, it is best that he pays the greater amount (between the amounts stipulated in the two countries) so that the poor people may benefit to a greater extent. (*Fatawaa Raheemiyyah* Vol.3)

14. Although it is compulsory for a woman in possession of Nisaab to pay her own Sadaqatul Fitr, her obligation will be discharged if her husband pays the Sadaqatul Fitr on her behalf.

15. If a husband pays Sadaqatul Fitr on behalf of his wife, this would be permissible merely because permission to pay Sadaqatul Fitr is usually given and also because the amount is usually well publicised and small. On the contrary, explicit permission is required to pay a person's Zakaah because the quantity is usually unknown and is a considerable sum. (*Shaami*)

Virtues and Injunctions Pertaining to Qurbaani

There are great virtues attached to performing the Qurbaani. Rasulullaah ρ has mentioned that during the days of Qurbaani, there is no action more beloved to Allaah than the act of Qurbaani itself. It is also mentioned that before the first drop of blood falls to the ground, the act of Qurbaani is already accepted by Allaah. Rasulullaah ρ has therefore encouraged Muslims to carry out the Qurbaani with open and happy hearts. In another Hadith, Rasulullaah ρ has mentioned that the reward for a good deed is recorded for a person in exchange for every hair on the body of the sacrificial animal.

Subhaanallaah! What reward can be greater than this? In exchange for every one of the hundreds of thousands of hairs on the body of the animal, a person can receive the reward of a good deed! If a person ventures to count every hair on of the body of an animal, he would not be able to complete counting even though he spent an entire day and an entire night doing so. In search of such a great reward, a righteous person will make an effort to slaughter an animal for Qurbaani even though it is not compulsory for him because once the day of Qurbaani passes one by, such tremendous rewards can not be attained. If Allaah has granted much wealth to a person, she should try to slaughter an animal on behalf of deceased the relatives as well. If possible, people should also try to slaughter animals on behalf of Rasulullaah ρ, his pious wives and other pious people.

1. Qurbaani is Waajib for very person on whom Sadaqatul Fitr is Waajib. Although it would not be compulsory for a person to slaughter an animal if Sadaqatul Fitr is not Waajib for him, he would be greatly rewarded for carrying it out. *(Shaami)*

2. Qurbaani is not Waajib for a person who is a traveller, immature, insane or poor. (*Qudoori*, *Shaami*)

3. A woman also has to perform Qurbaani if she possesses wealth equal to Nisaab. If she does not have the cash to do so, she may take the money from her husband. If the husband decided to do the Qurbaani on her behalf, her obligation will be discharged. (*Fatawaa Raheemiyyah*)

4. Although it is best for a person to slaughter the animal himself/herself, it is permissible to have someone else do it on one's behalf. In such a case, it is better for one to stand in front of the animal being slaughtered. If however, this is not possible because there is no place to stand or because of modesty, there is no harm done. (*Sharhut Tanweer*)

5. If a person purchased an animal for Qurbaani, which was lost before it could be slaughtered but was then found after another animal had already been purchased in it's place, the situation would be as follows:

    - If Qurbaani was Waajib on the person who bought the animals, she is obliged to slaughter only one of the two animals.
    - If Qurbaani was not Waajib on the person who bought the animals, she is obliged to slaughter both the animals if the animals were purchased during the days of Qurbaani. (*Hidaayah*)

6. If a person purchased a Qurbaani animal during the days of Qurbaani when it was not Waajib for him/her to do so, it will become Waajib to slaughter it. (*Durrul Mukhtaar*)

7. When a Qurbaani animal was slaughtered on behalf of a deceased person, one may do with the meat as one does with the meat of one's own animal. It can therefore be eaten, cooked and fed to others or given away to others. (*Shaami*)

8. When a deceased person has made a bequest that Qurbaani be made on his/her behalf and this is done from his estate, all the meat had to be given to the poor. It is not permissible for the heirs to eat any of the meat. (*Shaami*)

9. When a person vows to slaughter a Qurbaani animal, it would be Waajib for him/her to do so as soon as the condition is fulfilled, regardless of whether the person who made the vow is rich or poor. When this Qurbaani is done, all the meat will have to be given to the poor. Neither the person making the Qurbaani nor any rich person is allowed to use the meat. If any portion was given to a rich person by mistake, the monetary value of this portion should be given to the poor as Sadaqah.

NOTE: Such a Qurbaani should be made during the days of Qurbaani. However, if the people in the area of the person making the vow refers to any animal sacrifice as Qurbaani and the person also meant this when he made the vow, it will not be necessary to carry out the Qurbaani during the days of Qurbaani. (*Shaami*)

10. If Qurbaani was Waajib for a person but she failed to discharge it during the days of Qurbaani, she will have to give the entire animal away as Sadaqah if the animal has already been purchased. If the animal had not been purchased, the price of a goat should be given as Sadaqah. (*Shaami*)

11. The skin, rope and other items attached to the Qurbaani animal should be given away as Sadaqah and cannot be given as payment to a labourer. (*Shaami*)

12. Although non-Muslims may be given a share of the Qurbaani animal's meat, this cannot be given as payment for any services rendered. (*Raddul Mukhtaar*)

13. If six persons shared in the slaughtering of a cow, it will be permissible for them all to share in the seventh share which can be done on behalf of Rasulullaah ρ. (*Fatawaa Mahmoodiyyah* Vol.14)

14. From the beginning of Dhul Hijjah a person intending to slaughter an animal as Qurbaani should preferably neither remove any hair from his/her body or cut any nails. Since the Qurbaani is a form of expiation for the sins of a person making the Qurbaani and every part of the animal's body is regarded as a counterpart of the person's body, Rasulullaah ρ had given the above instruction so that no part of the person's body is deprived of the blessings of Qurbaani. However, if a person did not remove unwanted hair or pare his/her nails for more than forty days, it should be done without hesitation in the interests of cleanliness and to safeguard one from indulging in a Makrooh act. (*Shaami*)

Injunctions Pertaining to Aqeeqah

1. When a child is born to someone, it is best for the parents to name the child and perform the Aqeeqah on the seventh day after the birth. By performing the Aqeeqah, the child will be safeguarded from calamities. (*Jowhara Nayyirah*)

2. When a son is born, the Aqeeqah will be two goats and when a daughter is born, one goat is to be slaughtered. When a large animal like a cow is slaughtered, two shares have to be taken when a son is born and one share when a daughter is born. On the same day, it is also preferable to shave off the baby's hair and to donate the equivalent weight of the hair in silver or gold as Sadaqah. If one wishes to, some saffron may then be applied to the baby's head.

3. It is not necessary that the child's head be shaved off at the same time that the animal is slaughtered. The hair may be shaved off either before or after the animal is slaughtered. Both ways are permissible in the Shari'ah. (*Muqaddamaat Ibn Rushd*)

4. There is no harm done if a person slaughters only one goat upon the birth of a son. Similarly, there is also no harm if a person is unable to perform any Aqeeqah at all. (*Abu Dawood*)

5. Aqeeqah is Mustahab according to Imaam Abu Haneefah رحمه الله.

6. It is Mustahab to bury the infant's hair.

7. Although it is best to perform the Aqeeqah on the seventh day after birth, if this is not possible, it may be done on the 14th or 21st days. It should however not be delayed after this for no good reason. (*Fatawaa Raheemiyyah*)

8. The expense of the Aqeeqah should be borne by the person who is responsible for providing for the child. If the father is unable to pay for it, the mother should do so. However, if she is also unable to do so, there is no need to take a loan for it. (*Fatawaa Raheemiyyah*)

9. Aqeeqah is done for a living child and it has not been established for dead children. If a person carried out Aqeeqah for a dead child, it

will only be allowed if it is done with the hope of receiving intercession and not if it is regarded as being Mustahab. For example, if a person died without performing Hajj and without making a bequest that it should be performed, it is hoped that the deceased will be forgiven if someone performs Hajj at his/her own expense on behalf of the deceased. (*Fatawaa Raheemiyyah*)

10. To determine the day on which the Aqeeqah is made, the day before the child is born is to be noted. For example, if a child is born on a Wednesday, the Aqeeqah will be done on the following Tuesday or Tuesdays thereafter.

11. Although it is permissible to use all the meat of the Aqeeqah animal to feed guests, it is best to give a third away to the poor. (*Kifaayatul Mufti*)

12. There is no truth in the belief that the bones of an Aqeeqah animal should not be broken. (*Kifaayatul Mufti, Fatawaa Mahmoodiyyah*)

13. The gifts that are given usually on the occasion of the Aqeeqah do not belong to the child because the givers actually intend them to belong to the parents. Therefore, whatever is given by the father's relatives will belong to the father and whatever is given by the relatives of the mother shall belong to her. However, if any person insists that the gift should be the property of the child, it will become the property of the child as soon as the father takes possession of it. In the absence of the father, the paternal grandfather may accept it on behalf of the infant. (*Shaami*)

14. If Aqeeqah was not made for a person as a child and she wishes to have it done after she has grown up, it may be done. In this case also, the meat may be distributed or cooked and fed to people. (*Fatawaa Mahmoodiyyah* Vol.14)

15. It is permissible for anyone to eat the meat of an Aqeeqah animal, including the parents and both the maternal and paternal grandparents.

Hajj

If in addition to his/her necessities, a person has enough wealth to afford travel expenses and food and accommodation of an average standard, it would be Fardh for him/her to proceed for Hajj.

Rasulullaah ρ has mentioned that nothing less than Jannah shall be the reward of a person who performs Hajj without perpetrating sin. There are also tremendous rewards mentioned for performing Umrah.

Rasulullaah ρ has stated in a Hadith that Hajj and Umrah cleanse a person from sins just as a furnace cleanses iron.

On the other hand, Rasulullaah ρ has also sounded stern warnings for the person who does not perform Hajj despite having the means to do so. Rasulullaah ρ said, "If a person does not proceed to the House of Allaah (the Kabah) despite having the means to do so, Allaah has no concern whether he dies as a Jew or a Christian." Rasulullaah ρ has also mentioned that it is against the way of Islaam to forsake Hajj.

1. It is Fardh to perform Hajj once in a lifetime. If a person performs Hajj several times, the first Hajj will be regarded as Fardh while the others will be regarded as Nafl. The rewards for every Hajj will still be enormous. (*Jowhara Nayyirah*)

2. A Hajj performed while a person has not yet reached the age of puberty shall not count as a Fardh Hajj. After attaining the age of puberty, such a person will have to perform Hajj again if she has the means. The Hajj performed as a child will be regarded as a Nafl Hajj. (*Fatawaa Aalamgeeri*)

3. Hajj is not Fardh for a blind person regardless of how wealthy the person may be. (*Jowhara Nayyirah*)

4. A woman may not proceed for Hajj without the company of her husband or a Mahram. She will be guilty of a grave sin if she proceeds without a Mahram. A Hadith of Bukhari and Muslim states that that Rasulullaah ρ once said, "No strange (non-Mahram) man should ever be alone with a strange (non-Mahram) woman and no woman can travel without a Mahram." A Sahabi τ stood up and said

that his name had been written for a particular military expedition while his wife had left to perform Hajj (he queried whether he should continue with the expedition or join his wife for Hajj). Rasulullaah ρ instructed him to perform Hajj with his wife instead. Women who assume that certain men are Mahram to them are committing a grave sin and are guilty of toying with the Shari'ah.

5. A woman cannot proceed for Hajj without a Mahram even though she may be extremely old and although she may have other women in her company who have their Mahram men with them. If until she dies a woman cannot find a Mahram to accompany her, she will have to make a bequest that someone else perform the Hajj on her behalf. (*Ahsanul Fatawaa*, *Fatawaa Mahmoodiyyah*)

6. A Mahram is a man whom a woman may not marry under any circumstances.

7. The elder brother of a woman's husband is not her Mahram and she may not travel with him for Hajj.

8. Similarly, the younger brother of a woman's husband is also not her Mahram and she may not travel with him for Hajj either.

9. A woman's sister's husband is also not her Mahram and she may not travel with him for Hajj.

10. The Iddah of a woman is an even stronger prohibiting factor than the absence of a Mahram because she is forbidden from travelling for Hajj during her Iddah. She may not even travel a distance shorter than the distance of Safar while in Iddah, let along travelling for Hajj. A woman in Iddah may only leave her home during the day in cases of exigency and ensure that she returns home by nightfall. This is clearly impossible if she were to undertake the journey for Hajj. This law applies regardless of whether a woman's Iddah is because of being divorced or because of the death of her husband. If a woman in Iddah still performs her Hajj, she will be guilty of a grave sin although her Hajj will still be regarded as Hajj. (*Masaa'il Hajj wa Umrah*)

11. If a woman did not perform her Hajj and was sent to perform the Hajj Badal on behalf of another person, the Hajj Badal will be discharged. It is however best to delegate the task of Hajj Badal to

someone who had already performed his/her Fardh Hajj. Hajj Badal should not be delegated to a person who had not performed Hajj after Hajj had become Fardh for him/her because such a person is a sinner. (*Fatawaa Mahmoodiyyah* Vol.13)

12. It is not permissible to take along as a Mahram someone who has not yet reached the age of puberty.

13. It is also not correct to proceed in the company of a Mahram who is not trustworthy. (*Hidaayah*)

14. A husband has no right to prevent his wife from performing (Fardh) Hajj if she has a trustworthy Mahram to accompany her. In fact, she has the right to even proceed without his permission in this case. (*Jowhara Nayyirah*)

15. A woman proceeding for Hajj has to bear the expenses of the Mahram she needs to take along. (*Jowhara Nayyirah*)

16. If a woman failed to perform Hajj when it became Fardh for her, after which she became blind or contracted a disease that made travel impossible for her, she will have to make a bequest that Hajj Badal be performed on her behalf. (*Jowhara Nayyirah*)

17. A righteous woman proceeding for Hajj with a Mahram cannot be accompanied by another lady who has no Mahram even though the lady may be extremely old. (*Ahsanul Fatawaa* Vol.8)

18. A woman may proceed for Hajj in the company of her son-in-law because he is Mahram to her and may not marry her under any circumstances. However, because our times are times of evil and sin, it is preferable that the two do not travel alone especially when they are young. The book *Mu'allimul Hujaaj* (Pg.84) states, "However, our times necessitate caution when it comes to relationships with in-laws and suckling relatives. Because these are times of evil and sin, it is best that Hajj is not performed with them." Another reason for caution is that the Hajj journey often entails situations where couples are secluded and have to touch each other. It is therefore preferable that people abstain from travelling alone with their mothers-in-law. (*Fatawaa Raheemiyyah* Vol.8)

19. The son of a woman's niece (her sister's grandson) is Mahram to her. Because she can never marry him, she is allowed to travel with him. However, she should ensure that he is not an immoral and sinful person who cannot be trusted because the Fuqahaa have forbidden travelling with such people. (*Fatawaa Raheemiyyah* Vol.8)

20. Because a Mahram who is able-minded and close to puberty is regarded as a mature person, a woman may travel with him. (*Mu'allimul Hujaaj*)

21. If a woman's husband or Mahram is not prepared to bear the cost of the Hajj expenses, the woman will be obliged to do so if she needs to perform Hajj. In this case, Hajj will only be Fardh on her if she is able to finance her Mahram as well as herself. Of course, she need not bear the expenses of the Mahram if he chooses to bear his own. (*Mu'allimul Hujaaj*)

22. Although the person performing Hajj Badal ought to perform the Ifraad Hajj, Tamattu or Qiraan Hajj may also be performed if so instructed by the person financing the Hajj. However, the expense of the Damm Shukr has to be borne by the person instructed to perform the Hajj. If the financier chooses to pay for it, it would be permissible. Since it is common practice nowadays to perform Tamattu and Qiraan Hajj, this is normally the intention of the financier, so it would not be necessary to have him/her specify this. It is however best to secure his/her explicit permission to perform these types of Hajj. (*Ahsanul Fatawaa* Vol.4)

23. If a person passed away during the Hajj journey before completing the Hajj and the Hajj became Fardh for him only that year, the obligation will fall away upon his death. On the other hand, if Hajj was Fardh for him some years previously, the following considerations have to be made:

    - If he passed away after his stay at Arafah, the obligation will be waived
    - If he passed away before the stay at Arafah, the obligatory will not be waived and it will be Fardh for him to make a bequest that Hajj Badal be made on his behalf from his hometown. If the Hajj from his hometown cannot be made from a third of his wealth, the Hajj should be made from whichever place the funds would allow. (*Raddul Mukhtaar*)

24. If the person sent to perform the Hajj Badal dies before staying at Arafah, another person should be sent for Hajj Badal from the deceased person's hometown. If the one-third of the estate reserved for bequests does not have sufficient funds for this, a person should be sent from whichever place the funds would allow. If this happens again, the same procedure is to be adopted until all the funds from the one-third are exhausted or so little remains that Hajj with it becomes impossible. The bequest will now be impossible to fulfil. The same rule applies when the money of person performing Hajj Badal gets stolen. (*Fatawaa Raheemiyyah* Vol.2)

Ihraam, Tawaaf, Rami, Qasr and Other Related Injunctions

1. At the time of entering into the state of Ihraam, women do not have to wear a sheet as an upper garment and another as a lower garment. Women may wear their normal stitched clothing regardless of what colour it may be. However, it should not be dyed with saffron or safflower unless the garment has been washed so much that there is no fragrance left. Although women may wear socks and gloves, it is best not to do so. Women may also wear silk clothing, gold and other types of jewellery as well as shoes that conceal the raised bone on top of the foot. (*Masaa'il Hajj wa Umrah*)

2. It is Waajib for women to cover their hair but they are prohibited from wearing anything over their faces (that touches their face). While women should cover their hair as a requirement of the Shari'ah, this does not constitute part of the Ihraam. Therefore, if a woman does not cover her head, she will be guilty of a major sin even though no penalty will be due from her. It should however be noted that the head covering should not cover the forehead since this would be a breach of the requirements of Ihraam and will necessitate a penalty. The practice of many women to tie a cloth over the head in the belief that this is their Ihraam is erroneous. This was originally tied to protect a woman's hair and it should be removed when making Masah during wudhu. The practice of many women to make Masah over it is incorrect because it the wudhu is not valid. Once a person's wudhu is invalid, salaah will also be invalid. The matter is therefore a serious one and should be heeded to.

3. The Shari'ah has prohibited women from being exposed to strange (non-Mahram) men. Therefore, when in the state of Ihraam, women should wear something over their foreheads (such as a sun cap) over which their veils should be thrown so that it does not touch their faces. (*Mu'allimul Hujaaj*)

4. A woman in the state of Haidh may enter the state of Ihraam and even take a bath to enter this state. If she is unable to take a bath, she may make wudhu, formulate the Niyyah for Hajj or Umrah and then recite the Talbiyyah while facing the Qibla. Of course, she will

be unable to perform the salaah for entering the state of Ihraam. (*Masaa'il Hajj wa Umrah*)

5. The arrival of a woman's Haidh after entering into the state of Ihraam will not nullify the Ihraam.

6. A woman in the state of Haidh or Nifaas may not enter the Masjidul Haraam when she reaches Makkah because such a woman is prohibited from entering a Masjid. She should rather stay in her residence where she may recite the Talbiyyah and engage in Dhikr. It is only after her bleeding has stopped that she should take bath, make wudhu and proceed to the Haram to complete the acts of Umrah viz. Tawaaf, Sa'ee and two Rakaahs salaah. Thereafter, she needs to have her hair trimmed to the extent of a finger's tip.

   NOTE: The easiest way of cutting the hair is to wrap the end of one's ponytail around a finger and to cut it so that all the hairs are cut equally.

7. If the Haidh started before the 8th of Dhul Hijjah, a woman should enter into the state of Ihraam, recite the Talbiyyah and proceed to Mina, Arafah and Muzdalifah. During this time she should continue reciting the Talbiyyah and engaging in Dhikr although she will be unable to perform any salaah. If the Haidh continues after all of this, she should not perform the Tawaaf Ziyaarah. This should be done immediately after her bleeding has stopped.

8. No penalty will be due from a woman who has to delay performing her Tawaaf Ziyaarah because of her Haidh. She should bear in mind that the Tawaaf Ziyaarah is a fundamental of Hajj which cannot be omitted. Hajj will be incomplete without it. (*Mu'allimul Hujaaj*)

9. A woman in the state of Haidh or Nifaas is strongly prohibited from entering a Masjid and it would be a serious sin for her to perform Tawaaf, especially the Tawaaf Ziyaarah. However, if a woman is forced to perform her Tawaaf Ziyaarah in the state of Haidh or Nifaas because the government would not allow them an extension of time, her Tawaaf Ziyaarah will be valid according to Imaam Abu Haneefah رحمه الله although she will have to offer a form of expiation. (*Ma'aarifus Sunan, Umdatul Fiqh*). Such a woman will be able to exit the state of Ihraam and will have to postpone the two Rakaahs salaah of Tawaaf for the time when she stops bleeding, whether it

be during the journey or at home. If she had not yet performed the Sa'ee, she should complete it and then offer the expiation, which is to have a camel or cow slaughtered within the confines of the Haram. She should also repent to Allaah for performing Tawaaf in a state of impurity. Allaah is after all, Oft Forgiving.

NOTE: This should not be misconstrued as blanket permission to perform Tawaaf in the state of Haidh or Nifaas. It is Haraam to do so without dire necessity. There is always the possibility of booking another flight home so that a woman can wait out her condition and perform the Tawaaf Ziyaarah after purifying herself.

10. If the Haidh begins while a woman is performing Tawaaf, she should immediately terminate the Tawaaf and perform it at a later stage when she has been purified. If she needed to perform Sa'ee as well, it should also be postponed with the Tawaaf because the Sa'ee is subservient to Tawaaf. (*Masaa'il Hajj wa Umrah*)

11. It the Haidh started only after the Tawaaf was completed, the Sa'ee may also be performed because purity is not a precondition for Sa'ee.

12. If the departure date has arrived for a woman in the state of Haidh or Nifaas, she will be allowed to omit the Tawaaful Widaa because it will no longer be binding for her. She will also not be required to pay any penalty. As she is leaving, it will be sufficient for her to stand at the Door of Widaa (Baabul Widaa) or at any other door of the Masjidul Haraam where she should make a du'aa.

    NOTE: Although it is not necessary to formulate a Niyyah for the Tawaaful Widaa, it is best to do so. Therefore, if before her departure, a woman had performed a Nafl Tawaaf before her Haidh or Nifaas started, this Tawaaf will take the place of the Tawaaful Widaa. (*Mu'allimul Hujaaj*)

13. A woman should not recite the Talbiyyah audibly.

14. Idtibaa is not for women (Idtibaa refers to wearing the upper garment with the right shoulder exposed).

15. Ramal is also not for women (Ramal refers to strutting during the first three rounds of a Tawaaf followed by Sa'ee).

16. It is preferable for a woman to abstain from performing Tawaaf at a time when men are crowding the Mataaf area. Because there are large crowds of men during the Hajj season, it is best for women to use the edge of the Mataaf. She should also not attempt to get to the Hajar Aswad during such times. It is noticed that large crowds of women perform Tawaaf after Asr salaah and especially after the Maghrib salaah. It is unfortunate that they are then seen pushing and shoving other women around, which is a sinful act because it causes harm.

17. Women should also refrain from going to the Safa and Marwa area when there are large crowds of men.

18. It is not necessary for women to run between the two green pillars when performing Sa'ee. Some women are also seen running the entire distance between Safa and Marwa. This is grossly incorrect.

19. When performing Sa'ee, women should walk closer to the walls to avoid bumping into men.

20. When there are large crowds of men behind the Maqaam Ibraheem, women should rather perform their salaah of Tawaaf somewhere else in the Haram.

21. Today's women have become guilty of having their menfolk do their Rami on their behalf for flimsy reasons. This is not permissible and necessitates a penalty. Women should abstain from such behaviour, which diminishes the value of their Hajj because they are omitting a Waajib act. This is permissible only with a valid excuse. It should also be noted that the Rami that a man does on behalf of his wife without her instruction is invalid. It will have to repeated if time permits. Valid excused for having one's Rami done by someone else are:

    - A woman is so ill or weak that she cannot even stand up to perform salaah
    - Going to the Jamaraat even on a conveyance is too strenuous for her or would worsen her condition
    - She cannot walk to the Jamaraat and there is no conveyance available. (*Ahkaam Hajj*)

22. If a woman's husband passed away during the journey for Hajj and she had not yet entered the state of Ihraam, she should return home to spend her Iddah if it is possible for her to return. However, if it is not possible for her to return home or if she had already entered the state of Ihraam, she may complete her Hajj or Umrah while spending her Iddah. (*Aham Fiqhi Faysle*)

23. If a person reached Makkah when there were less than fifteen days before leaving for Mina, she will remain a Musaafir and perform Qasr salaah. (*Aham Fiqhi Faysle*)

24. If a woman was in the state of Haidh or Nifaas and returned home without completing her Tawaaf Ziyaarah, she will be unable to cohabit with her husband until she completes the Tawaaf Ziyaarah even though this may continue for years. In such a case, she will not have to perform Hajj all over again. It is sufficient for her to perform Umrah, after which she can perform her Tawaaf Ziyaarah. (*Mu'allimul Hujaaj*)

25. If a woman is unable to stay at Muzdalifah because of the excessive crowds, she will not be liable for a penalty. (*Mu'allimul Hujaaj*)

26. It is permissible for a woman to perform Hajj Badal on behalf of another person provided she is in the company of a Mahram. It is however best for a man to perform Hajj Badal. (*Fatawaa Raheemiyyah*)

27. If a person intentionally made an eighth circuit during Tawaaf, it will be Waajib for him/her to complete another six circuits, as if two Tawaafs had been completed. (*Mu'allimul Hujaaj*)

28. Another Tawaaf will also have to completed if one completed an eighth circuit because of doubt. (*Mu'allimul Hujaaj*)

29. If a person completed an eighth circuit thinking it to be the seventh but only realised afterwards that it had been the eighth, she will need not complete another Tawaaf. (*Mu'allimul Hujaaj*)

30. If a doubt occurs in Tawaaf e Rukn (Tawaaf e Ziyaarat) then it should be repeated and if there is any doubt regarding any of the circuits of this Tawaaf on any Waajib Tawaaf then this circuit should be repeated.

31. If men and women mingle while making Tawaaf, the Tawaaf of neither will be nullified. (*Mu'allimul Hujaaj*)

32. If a person started the Sa'ee from Marwa, this first circuit will not be counted. The Sa'ee will start only from the time she reaches Safa and then proceeds towards Marwa. (*Mu'allimul Hujaaj*)

33. Although purity is not a precondition for the Sa'ee of Hajj and Umrah, it is Mustahab. (*Mu'allimul Hujaaj*)

34. If a person forgot to perform the two Rakaahs salaah of Tawaaf and then started another Tawaaf, she should abandon the Tawaaf and perform the salaah only if she had not yet completed the first circuit. If the first circuit had already been completed, the entire second Tawaaf should also be completed and the salaahs for both Tawaafs should be performed. (*Mu'allimul Hujaaj*)

35. If the two Rakaahs for Tawaaf were performed exactly while the sun was rising, setting or when it was on its meridian, the salaah will be invalid and will have to be repeated. (*Mu'allimul Hujaaj*)

36. If a person did not perform the two Rakaahs of Tawaaf in Makkah, the obligation will not be waived and will have to be perform some time in a person's life wherever the person may be. (*Mu'allimul Hujaaj*)

37. After emerging from the state of Ihraam, a woman may cut her hair by herself or get another woman to cut it even though the other woman is herself emerging from the state of Ihraam. (*Mu'allimul Hujaaj*, *Khawaateen ka Hajj wa Umrah*)

38. If a woman fears the crowds and pelts before sunrise on the 10th of Dhul Hijjah and after sunset on the 11th and 12th of Dhul Hijjah, this will not be Makrooh. The same will apply to people who are weak. Doing this will however be Makrooh for other people. (*Mu'allimul Hujaaj*)

39. One should not look towards the Kabah while making Tawaaf.

40. If Haidh started while a woman was busy performing Tawaaf for her Umrah, she will have to abandon it immediately and leave the

Masjidul Haraam. The Tawaaf will have to be repeated once the bleeding stops. However, if the Hajj starts before she could repeat the Tawaaf, she should enter into the state of Ihraam and perform the Hajj. The Umrah shuld be repeated after completing the Hajj. If the abandoned Tawaaf was not for Umrah but a Nafl or another Tawaaf, it will be Waajib for her to repeat it afterwards just as it is Waajib to repeat a salaah that is left incomplete. (*Khawaateen ka Hajj wa Umrah*)

41. If a woman fears that she will only be able to complete a maximum of four circuits of her Tawaaf Ziyaarah before her Haidh arrives, she should rather not perform the Tawaaf Ziyaarah then and wait to perform it after her bleeding stops. Even if she performs the Tawaaf Ziyaarah after the 12th of Dhul Hijjah no penalty will be binding on her. (*Khawaateen ka Hajj wa Umrah*)

42. If the Tawaaful Qudoom was performed in the state of Haidh, Nifaas or Janaabah, it will be necessary to slaughter a goat or a sheep as compensation. On the other hand, if the Tawaaf Ziyaarah was perform in any of these conditions, the penalty will be to slaughter a camel or a cow. However, this penalty will be waived if a person repeated the Tawaaf after attaining purity. (*Khawaateen ka Hajj wa Umrah*)

43. If a person performed Tawaaf with any impurity on the body or clothes, the Tawaaf will be valid. It is however not proper to do such a thing.

44. If a person performing the Tamattu or Qiraan Hajj is a wealthy person, Qurbaani would have been Waajib for him/her if she had been at home. If such a person stays in Makkah for fifteen or more days before leaving for Mina, she will no longer be a Musaafir. Therefore, together with the Hajj Qurbaani (Damm Shukr), she will also have to slaughter another animal for Qurbaani. Because there is no Eid salaah to wait for in Mina, the person can have this Qurbaani done before doing the Rami and other acts. (The Hajj Qurbaani will have to wait until after Rami).

    If such a person is still a Musaafir (staying in Makkah for less than fifteen days), the usual Eid Qurbaani will not be Waajib for him/her. She may however have it done if she so wills. (*Fatawaa Aalamgeeri*)

45. If toothpaste contains cinnamon, camphor, cardamom or any other fragrant substance will be Makrooh to use it while in the state of Ihraam when the fragrance does not overpower that of the other ingredients. However, no Sadaqah will be due as a penalty. On the other hand, if the smell of the fragrant ingredients overpowers the others, the person will have to slaughter a goat or sheep as a penalty because all or most of the mouth will be affected. It is therefore best not to use such toothpastes while in the state of Ihraam because they do not adequately fulfil the requirements of the Sunnah. A Miswaak should rather be used. (*Fatawaa Raheemiyyah* Vol.8)

46. Vicks balm is regarded as a fragrant substance and Damm (penalty involving slaughtering a goat or a sheep) will be obligatory if it is applied to the entire forehead. (*Fatawaa Raheemiyyah* Vol.8)

47. If during the state of Ihraam, a woman's Burqa or bedsheet covered her face for less than an hour, books like *Bahrur Raa'iq*, *Shaami* and others state that she will have to pay half a *Saa* of grain as Sadaqah. Other books discussing the injunctions of Hajj are of the opinion that she should only give a handful of grain as Sadaqah. Although the first opinion is more cautious, the second is more easily applicable especially in cases where a person gets involved in the situation several times. (*Ahsanul Fatawaa* Vol.4)

Visiting Madinah Munawwarah

(Before or after Hajj)

If possible, a person should visit Madinah before or after Hajj to attain the blessings of visiting the grave of Rasulullaah ρ and his Masjid. Rasulullaah ρ has mentioned that the person who visits his grave after his demise will receive the same blessings that a person would receive when visiting him during his lifetime. Another Hadith states that the person who performs Hajj and does not visit the grave of Rasulullaah ρ has been disrespectful towards Rasulullaah ρ. (*Mishkaatul Masabeeh*)

1. Women should also visit the grave of Rasulullaah ρ. While one should find out the details from the learned scholars, we shall present a brief overview. You should enter with respect and greet Rasulullaah ρ with Salaam, having the belief that he can actually hear you and will reply to your greeting. Still with great awe and respect, you should recite Durood in whichever form you know. However, our learned scholars prefer the following Durood:

أَلصَّلٰوةُ وَ السَّلَامُ عَلَيْكَ يَا رَسُوْلَ اللهِ , أَلصَّلٰوةُ وَ السَّلَامُ عَلَيْكَ يَا نَبِيَّ اللهِ , أَلصَّلٰوةُ وَ السَّلَامُ عَلَيْكَ يَا حَبِيْبَ اللهِ

This Durood should be repeated several times and then you should request the intercession of Rasulullaah ρ by saying:

أَسْئَلُكَ الشَّفَاعَةَ يَا رَسُوْلَ اللهِ

Thereafter, you should pray to Allaah through the medium of Rasulullaah ρ to grant you a good death, to be pleased with you and to forgive you. You should then proceed to the grave of Hadhrat Abu Bakr τ and greet him saying:

السَّلَامُ عَلَيْكَ يَا خَلِيْفَةَ رَسُوْلِ اللهِ جَزَاكَ اللهُ عَنْ أُمَّةِ مُحَمَّدٍ خَيْراً

Then proceed to the grave of Hadhrat Umar τ and greet him with the following words:

السَّلَامُ عَلَيْكَ يَا أَمِيْرَ الْمُؤْمِنِيْنَ عُمَرَ الْفَارُوْقَ جَزَاكَ اللهُ عَنْ أُمَّةِ مُحَمَّدٍ خَيْراً

After doing this, you should convey the Salaams of all those people who asked you to convey their Salaams to Rasulullaah ρ. You may say, "O Rasulullaah ρ! (Name of the person) has conveyed his (her) Salaams. Do accept the Salaam. He (she) has also requested for your intercession." If you do not remember the names of all the people, you may say, "Many people have conveyed their Salaams to you. Do accept their Salaams.

NOTE: Every person reading this booklet is requested to convey to Rasulullaah ρ the Salaams of the author and all his family whenever you have the opportunity to visit Rasulullaah ρ. I pray that Allaah affords you the opportunity time and time again. Do not also forget the author in your du'aas. I shall be eternally grateful for this favour.

2. If a woman is in the state of Haidh or Nifaas, she may not enter the Masjid to greet Rasulullaah ρ. If she pleases, she may stand at the Door of Salaam (Baabus Salaam) or at any other door of the Masjid and greet Rasulullaah ρ from there.

3. It is preferable for a woman to perform her salaah at her residence when in Madinah because performing salaah at home earns a woman the reward of performing salaah in congregation in the Masjid of Rasulullaah ρ. (*Badaa'i*)

   If a woman is in the Masjid when greeting Rasulullaah ρ and the time of salaah arrives, she may then perform her salaah in the Masjid. She should however bear in mind that women should perform their salaah only with other women.

4. The virtue of performing forty salaahs in the Masjid of Rasulullaah ρ is also attained by a woman performing her salaah in her hotel in Madinah. It is therefore necessary for women in Madinah to perform their salaah in the Masjid. Even if a woman visiting Madinah does not have the opportunity to perform forty salaahs because of Haidh, there is a strong hope that Allaah will not deprive her of the reward of performing the forty salaahs.

Injunctions Pertaining to Vows

1. If one took a vow to carry out some form of Ibaadah if some work is accomplished, it will be Waajib to carry out the Ibaadah as soon as the work is done. A person will be sinful for not carrying out the specified Ibaadah. However, if the vow was something futile that has no recognition in the Shari'ah, it will not be necessary to carry it out.

2. The usual prescribed manner of making a vow is simply to state that (for example) if a certain task is accomplished or if a certain illness is cured, I will slaughter a goat in the name of Allaah or give a fixed amount of money in Sadaqah. One may also say that one will observe a specific number of fasts or perform a specific number of Rakaahs of salaah. (*Fatawaa Daarul Uloom* Vol.12)

3. Ulema differ about the situation where a person vowed to recite Durood five hundred thousand times upon the completion of a certain task. However, the more acceptable opinion is that the vow should be completed as far as possible. (*Fatawaa Daarul Uloom, Durrul Mukhtaar*)

4. It is Haraam to make a vow in the name of any being besides Allaah. (*Shaami*)

5. If a person vowed to slaughter an animal, the best would be that the animal fulfils all the conditions of an animal that should be slaughtered as Qurbaani. However, if a person specified the particular animal that he intended slaughtering, that animal will have to be slaughtered even though it does not fulfil all the conditions of a Qurbaani animal. The meat of the animal will then have to be given to the poor as Sadaqah. (*Fatawaa Daarul Uloom* Vol.12)

6. If a person vowed to observe the fasts of Muharram, she will have to observe all the fasts consecutively. If she missed any fasts in between, they may be repeated at any other time. It is also permissible to observe the fasts during any other month besides Muharram. The condition however is that they should be consecutive. (*Imdaadul Fataawaa* Vol.2)

7. If a person vowed to perform eight Rakaahs salaah if he found a certain lost item and the item was found, he may perform all eight Rakaahs together, in units of four Rakaahs each or in units of two Rakaahs. If he vowed to perform four Rakaahs, they will all have to be performed together and cannot be performed in units of two. (*Shaami*) If a person vowed to perform one Rakaah, she will have to perform two, if three Rakaahs then four and if five Rakaahs then six. (*Fatawaa Aalamgeeri*)

8. If a person merely thought that she would fast if some task was accomplished, this will not be regarded as a vow and will not be Waajib to fulfil. The vow will only be binding when it is stated verbally. However, it would be better if she did fast. (*Fatawaa Daarul Uloom* Vol.12)

9. If a person was unable to fulfil the vow before death, it will only be Waajib to do so on his/her behalf if she made a bequest to the effect. If no bequest was made, it would not be Waajib to fulfil. However, if the heirs choose to fulfil it, this will be best and Allaah will forgive the person if He pleases. (*Fatawaa Daarul Uloom* Vol.12)

10. The recipients of Sadaqah of a vow are the same people who are recipients of Zakaah. It is also necessary (as in Zakaah) that they be made owners of the wealth. (*Raddul Mukhtaar*, *Fatawaa Daarul Uloom*)

11. Just as it is not permissible for people who are not poor to use the funds of Sadaqatul Fitr and Zakaah, it is also not permissible for them to use funds from a vow. (*Raddul Mukhtaar*)

12. It is also not permissible for the person taking the vow to benefit from the things given because of it. (*Fatawaa Daarul Uloom*)

13. If one made a vow to give money to a specific person, it need not be given to him/her. If one chooses to give it to someone else, this would be permitted. (*Fatawaa Daarul Uloom*)

Injunctions Pertaining to Oaths

1. It is improper to swear on oath without necessity because this is disrespectful towards the name of Allaah.

2. An oath will be binding when one swears in the name of Allaah e.g. "I swear by Allaah!" or "I swear by the honour of Allaah!" or "I swear by the grandeur of Allaah!" An oath will also become binding if one swore without taking Allaah's name e.g. "I swear that I will never do that." (*Sharhut Tanweer*)

3. There are three types of oaths. These are:

   - Yameen Ghamoos: This occurs when a person swears about something that occurred in the past when he knows that the opposite is true. Such an oath is a major sin and although there is no Kaffaara due, the person should repent to Allaah.
   - Yameen Mun'aqidah: This occurs when a person swears that she will either do or not do something in the future. Kaffaara will become Waajib if the person did not fulfil this oath.
   - Yameen Laghw: This occurs when a person swears on oath about something that occurred in the past with conviction that she is truthful whereas it is the opposite that is true. Allaah will not punish a person for this. (*Hidaayah*)

4. An oath will become binding when a person makes statements like "Allaah is Witness" or "I make Allaah my witness" or "I am saying this knowing that Allaah is Omnipresent". *(Sharhut Tanweer)*

5. An oath will also become binding if someone swears by the Qur'aan or the Kalaamullaah (Qur'aan). However, if someone says something while placing his/her hand on the Qur'aan, it will not be regarded as an oath unless the person takes an oath. (*Sharhut Tanweer*)

6. Taking oaths in the name of beings other than Allaah is Haraam. This has unfortunately become the practice of many women who swear in the names of their sons, their fathers, in the name of Rasulullaah ρ, the name of their hands, their food and many other things. These are not regarded as oaths and do not have to be

fulfilled. There shall be no Kaffaara liable for failing to fulfil them. The Ahadeeth have strongly prohibited such oaths and have linked them to Shirk. (*Fatawaa Daarul Uloom, Jowhara Nayyirah*)

7. Some women make foolish statements like, "The food in you house is Haraam for me!" or "The water in you house is Haraam for me!" These things do not become Haraam for her but she will be liable to pay Kaffaara if she eats the food or drinks the water. (*Fatawaa Hindiyyah*)

8. If a person attaches the words "Inshaa Allaah" to the oath, it will no longer remain an oath. (*Durrul Mukhtaar*, *Fatawaa Daarul Uloom*)

9. If a person swore that she will never eat anything but then drank milk, the oath will not be breached. (*Shaami, Badaa'i, Fatawaa Daarul Uloom*)

10. If a married person swears that he never got married, the only Kaffaara due will be to repent to Allaah because this is a Yameen Ghamoos. (*Fatawaa Daarul Uloom*)

Injunctions Pertaining to Kaffaara of Oaths

1. If a person breaches an oath, she will have to either feed two meals to ten poor persons or give them grains equivalent to the amount of Sadaqatul Fitr. Alternatively, she may give each of the ten poor persons clothing that will cover the major part of their bodies. If the clothing is given to a woman, she should be given that much with which she will be able to perform salaah. Anything less would not be sufficient as Kaffaara. If a person is unable to do any of the above, she should fast for three consecutive days. The Kaffaara will not be discharged if the fasts are not consecutive. If the person had to miss a fast in between, all three will have to be repeated. (*Hidaayah, Qudoori*)

2. The Kaffaara will not be valid if it is given before the oath is breached. If this was done, it will have to repeated after the oath is breached. (*Qudoori*)

3. If a person said, “I swear by Allaah, I swear by my Rabb, I swear by Allaah’s word that I will never do it!” and he then did the act, one Kaffaara will be sufficient.

4. If a person breached several oaths, that many Kaffaara penalties will be due from him/her. If s/he was unable to fulfil them in him/her lifetime, s/he will have to make a bequest that they be fulfilled. (*Sharhut Tanweer*)

5. The recipients of the food or clothing given as Kaffaara should be people who are worthy recipients of Zakaah. (*Jowhara Nayyirah*)

6. If a person was unable to fulfil the Kaffaara in hisher lifetime, she will have to make a bequest that it be fulfilled. It is then Waajib on the heirs to see that it is fulfilled on condition that it can be paid from one-third of the estate. (*Islaah Inqilaab*)

Injunctions Pertaining to the Hair

1. It is Mustahab for a woman to shave beard and moustache hair from her face. (*Shaami*)

2. A woman will be allowed to shave off the hair from her head only on condition that medical experts agree that she cannot be cured from her illness without doing so. It will however be Haraam for her to do so without good reason or merely to be fashionable. (*Khulaasatul Fataawaa, Fatawaa Raheemiyyah Vol.2*)

3. It is prohibited for a woman to attach her fallen hair back on to her head. (*Durrul Mukhtaar*)

4. It is permissible for women to gather their hair on their napes. In fact, this is better when performing salaah because it facilitates easy concealment of the hair. (*Ahsanul Fatawaa* Vol.8)

5. It is not permissible for a woman to remove hairs from her eyebrows to make them appear thinner. Women doing this have been cursed in the Ahadeeth. Hadhrat Abdullaah bin Umar τ has reported that Rasulullaah ρ has cursed women who attach hair, those who have their hair attached, those who draw tattoos and those who have tattoos drawn. (*Ahsanul Fatawaa*, *Aap ke Masaa'il awr un ka Hal*)

6. Although not prohibited, it is better for men and women not to remove hair from their legs. (*Fatawaa Mahmoodiyyah* vol.15)

7. It is improper for a person whose eyebrows meet to remove the centre to make it appear as if they do not meet. (*Aap ke Masaa'il awr un ka Hal* Vol.7)

8. It is permissible to remove hair from the arms. (*Aap ke Masaa'il awr un ka Hal* Vol.7)

9. It has sadly become fashionable nowadays for women to imitate men by having their hair cut short. This draws Allaah's curse because a Hadith of Mishkaat reported by Hadhrat Abdullaah bin Abbaas τ states that Allaah's curse falls on men who imitate women

and women who imitate men. It is therefore not permissible for women to cut their hair.

10. It is against Islaamic teachings for women to make a croocked path (not a staright path), thus to discard making a crooked path is compulsory. *(Aap Ke Masaail Awr un Ka Hal Vol.7)*

11. Women who leave their nails to grow long should bear in mind that they will be sinful for allowing the nails to grow for more than forty days without cutting them. The same applies to unwanted hair and applies equally to men and women.

12. It is permissible for women to use bleach. (*Aap ke Masaa'il awr un ka Hal* vol.7)

13. It is not permissible for a woman to burn the hair that gets stuck in her comb. She should also not throw it in the rubbish bin because this leads to illness. She should rather wrap it up and keep it away. (*Fatawaa Mahmoodiyyah* Vol.9)

14. It is not only permissible but preferable for a woman to colour her lips and her cheeks to please her husband. (*Ahsanul Fatawaa*)

NOTE: It is my humble appeal to all mothers and sisters in Islaam to totally abstain from coming in front of non-Mahram men with their heads exposed. This hair is a bounty that Allaah has given you to grant you beauty. Do treasure this bounty of Allaah. In this regard, I shall recount an incident from the life of the famous queen Zubaydah. It was this very factor that became the cause for her salvation.

Zubaydah was responsible for having the canal built to take water from Baghdad to Arafah. It is famously known as "Nahr Zubaydah". As a young girl, she was once playing with her friends and as they were busy swinging, her scarf fell off her head. She was still going to get her scarf when the Adhaan started. She immediately stopped the swing and covered her hair with her scarf. Her life then continued until she finally passed away. After her death, one of her relatives saw her in a dream and asked her how she was faring in the Aakhirah. She informed him that Allaah has made matters easy for her and had granted her salvation. When the person commented that it was most probably the digging of the canal that secured her salvation, she replied that although that act was notable, it was not the act that was responsible

for her salvation. When he asked her what the act was that secured her salvation, she said, “I was once busy swinging when my scarf slipped off my head. I then put it back on my head in awe of the greatness of Allaah. It was this act that Allaah accepted and which led to my salvation. Allaah said to me, ‘Because you had so much reverence for My name I shall enter you into Jannah.’ I was not even asked about the canal and other good deeds.”

Dear mothers and sisters! Allaah so much liked the covering of the head in childhood that He actually made it the cause for Zubaydah’s salvation. You then also do your utmost not to expose your hair in front of non-Mahram men. Doing so is absolutely not permissible.

Injunctions Pertaining to Gold and Silver Jewellery

1. Women are permitted to make holes in their ears and nose for the purpose of wearing jewellery. (*Shaami, Fatawaa Mahmoodiyyah* Vol.14)

2. It is Makrooh for men and women to wear rings made of anything besides gold and silver e.g. rings of steel, copper, brass, etc. (*Shaami*)
   NOTE: Besides rings, it is permissible to wear other forms of jewellery that are not made of gold and silver.

3. Neither men nor women are allowed to use pens made of solid gold or silver. Anything that predominantly consists of gold will be regarded as gold and anything that predominantly consists of silver will be regarded as silver. It is also not permissible to use pens that have nibs made of pure gold or silver. (*Fatawaa Raheemiyyah* Vol.3)

4. Using utensils made of gold or silver is also not permitted. Although it is permissible to use utensils that are only gold or silver plated, it is closer to piety to abstain from them as well. (*Fatawaa Mahmoodiyyah*)

5. It is also not permissible to use amulets made of gold or silver.

   NOTE: Whatever is not permissible for adults is also not permissible for children as well. It is therefore also not permissible for children to wear amulets of gold and silver. (*Aap ke Masaa'il awr un ka Hal*)

6. A widow may wear gold and silver jewellery only after her Iddah has expired.

7. Women may wear bangles in every condition. It is however not advisable for unmarried women to wear a lot of jewellery in the interests of avoiding involvement in evil. (*Ahsanul Fatawaa* Vol.8)

The Etiquette of Eating and Drinking

1. The manner of many people when drinking tea is Makrooh because they hold the cup in the right hand and the plate in the left hand. Shaytaan eats with the left hand and the Sunnah practice is to eat with the right hand. In fact, many Ulema maintain that it is Waajib to eat with the right hand because Rasulullaah ρ once cursed a person who refused to eat with his right hand because of which his hand became paralysed. (*Fatawaa Raheemiyyah* Vol.2)

2. The washed hands should not be dried before eating but should be dried after eating. (*Fatawaa Aalamgeeri*)

3. While it is not Makrooh to eat hot food, it is Makrooh to eat food that is very hot. However, if the food or drink is such that its benefit or taste will be lost if it is not taken hot, there will be no harm in having it hot e.g. coffee, etc.

4. It is Sunnah to wash the hands after eating as well.

5. The Sunnah of washing the hands will not be achieved by washing only the fingers. (*Fatawaa Aalamgeeri*)

6. Eating from a table while sitting on chairs is contrary to Islaamic etiquette and is the way of people who are proud and who wish to follow fashion. Muslims should therefore abstain from this because it is also Haraam to imitate the ways of sinful people. Muslims should sit on the floor and eat and to receive the blessings of the food, they should also eat together sharing from the same plate. (*Maa Laa Budda Minhu, Mishkaatul Masabeeh*)

7. Food is a great blessing of Allaah and one should never find fault with the food. If one likes the food, one should eat. If not, do not eat but never complain. If something is more or less in the food and one merely intends to correct future errors from occurring, there will then be no harm in commenting. However, the comment should be made in a manner that the food is not criticised.

8. It is Sunnah to gargle the mouth after eating and not Sunnah before eating. (*Malfoodhaat Faqeehul Ummah*, quoting from *Fatawaa Hindiyyah*)

9. Licking the fingers after eating attracts blessings and is also Mustahab. It is not permissible to wash the hands without licking the fingers.

10. Certain narrations have described the sequence of licking the fingers as first licking the middle finger, followed by the Shahaadah (index) finger and the thumb. Several reasons have been cited for this. One is that the middle finger gets more food attached to it while another opinion states that it should be first because it is the longest. (*Khasaa'il, Jam'ul Wasaa'il, Ayni*)

11. Hadhrat Anas τ narrates from Rasulullaah ρ that the shoes should be removed when eating because this promotes relaxation and contentment. (*Kanzul Ummaal*, *Daarmi*) Wearing shoes while eating contradicts the Sunnah and is also uncomfortable for the feet. Muslims should abstain from the bad habit so prevalent today of eating with the shoes on while eating at restaurants.

12. Hadhrat Aa'isha رضي الله عنها narrates that then when Rasulullaah ρ arrived home and found a piece of bread on the floor, he would pick it up, dust it off and eat it. He would then say, "O Aa'isha! Honour your food." (*Ibn Maajah*) This Hadith prohibits any disrespect being shown to food. It is unfortunate that in our homes, we often trample upon food. It is such disrespect that can lead to poverty.

13. Roti (bread) should not be cut with a knife. It should be afforded the respect that Allaah has granted it. (*Naf'ul Mufti was Saa'il*)

14. A dish of curry should not be placed on top of the roti because this is a mark of disrespect. (*Naf'ul Mufti was Saa'il*)

15. As soon as the roti/bread arrives on the tablecloth, one should begin eating without waiting for the curry. This etiquette should be observed at home. However, when one is a guest at another person's house, one should wait for the curry. (*Naf'ul Mufti was Saa'il*)

16. One is allowed to use both hands for eating if necessary. (*Aap ke Masaa'il awr un ka Hal*)

17. Although reciting the du'aa after eating is established from the Ahadeeth. However, collectively raising the hands and making the du'aa is not established. There is however no harm for a guest to make du'aa for his hosts. (*Aap ke Masaa'il awr un ka Hal*)

18. It is permissible for a husband and wife to eat the leftover food of the other or drink the leftover water. The same applies to Mahram males and females. However, because of the fear of evil arising, it is Makrooh for non-Mahram males and females to eat and drink each other's leftovers. (*Aap ke Masaa'il awr un ka Hal*)

The Etiquette of Greeting

1. Muslims should greet each other with the words:

   اَلسَّلامُ عَلَيْكُمْ

   The reply to this greeting is:

   وَ عَلَيْكُمْ اَلسَّلامُ

   There are no other greetings besides this in the Shari'ah.

2. The person who greets first receives the greater reward.

3. When receiving the Salaams conveyed from another person, one should reply:

   وَ عَلَيهِمْ وَ عَلَيْكُمْ اَلسَّلامُ

   The Ahadeeth also state that one may simply reply:

   وَ عَلَيْكُمْ اَلسَّلامُ

4. If one person in a group greets, it will suffice for all the members of the group.

5. Similarly, if one person in a group replies to a greeting, it will suffice for all the members of the group.

6. Although it is normally not permissible to greet by only waving with the hand, it will be permissible when a person is far away and one wishes to greet him/her. It is however necessary to mention the words of Salaam at the same time.

7. If there is no one in a house, it is Mustahab to greet with the following words:

   السلام علينا وعلى عباد الله الصالحين

In this manner, all the angels will also be greeted. (*Mazaahir Haqq)*

8. Salaam should be made before talking. It is improper to start talking before greeting with Salaam. (*Mazaahir Haqq)*

9. It is not permissible to greet a person who is busy relieving himself. If such a person if greeted, he need not reply. (*Ma'aariful Qur'aan)*

10. If two persons meet and both make Salaam simultaneously, it will be Waajib for both of them to reply to the other. (*Mazaahir Haqq)*

11. When a non-Muslim greets one with Salaam, one should reply by saying:

هَدَاكَ اللّٰهُ

(*Mazaahir Haqq)*

12. When writing a letter to a non-Muslim, one should begin with the words Rasulullaah ρ used when he wrote to Heraclius the emperor of Rome. (*Mazaahir Haqq)* Rasulullaah ρ started with the words:

اَلسَّلامُ عَلَى مَنِ اتَّبَعَ الْهُدَى

13. When greeting a gathering that includes Muslims as well as non-Muslims, one should greet with Salaam (اَلسَّلامُ عَلَيْكُمْ) with the intention of greeting the Muslims only. If one pleases, one could also address the entire gathering saying:

اَلسَّلامُ عَلَى مَنِ اتَّبَعَ الْهُدَى

14. When women greet each other, then together with saying the Salaam (اَلسَّلامُ عَلَيْكُمْ), they should also shake hands. In this way, they will be rewarded for both acts.
15. One should first greet with Salaam and then shake hands because shaking hands is only a completion of the Salaam. (*Fatawaa Raheemiyyah*, Tirmidhi)

16. Although it is not necessary to reply to a greeting that is recorded on a cassette, it is better to reply to a greeting over the radio (because it is probably live). (*Fatawaa Mahmoodiyyah*)

17. Although it is perfectly permissible for a father to hug his daughter and for a brother to hug his sister, this should be avoided if there is fear of evil. (*Fatawaa Mahmoodiyyah* Vol.17)

18. One should make Salaam even when entering one's own house.

19. One should greet with Salaam when entering someone else's house. It is however the prerogative of the person of the house to come forward and shake hands. If the person does not do so or is busy doing something, she should not be disturbed.

Miscellaneous

1. Although it is alright for a husband to call his wife by her name, it is improper for her to call him by his name. This is Makrooh because it is disrespectful. There is however no harm if here is a necessity to do so. (*Siraajiyyah, Shaami*)

2. It is sinful for a wife to tell others about the private matters she shares with her husband. A Hadith states that revealing the secrets of the home attracts Allaah's wrath. Young wives should be very cautious in this regard. (*Fatawaa Hindiyyah*)

3. It is not permissible for a woman to wear perfume when its fragrance will reach non-Mahram men. In fact, Rasulullaah ρ has likened such a woman to a prostitute. (*Abu Dawood*)

4. If a person sneezes three or more times, it will be Waajib only to reply to the first three sneezes. It is not Waajib to reply to the sneezes thereafter. (*Shaami*)

5. It is permissible to hand over a Qur'aan to an immature child even though the child does not wash after passing urine and does not perform wudhu. However, the child should be taught to make wudhu. (*Fatawaa Mahmoodiyyah* Vol.1)

6. Although it is permissible to kiss the Qur'aan and to place it on the head and the eyes (as a token of respect), the Qur'aan should be picked up when doing this and the person should not bow down. Many Sahabah ψ such as Hadhrat Umar τ and Hadhrat Uthmaan τ used to kiss the Qur'aan. (*Fatawaa Mahmoodiyyah* Vol.6,14,15)

7. It is Makrooh and sign of disrespect to stretch the legs out towards the Qibla when lying down. (*Fatawaa Mahmoodiyyah*)

8. The belief that people will start fighting if they share the same comb is wrong. (*Aghlaatul Awaam wal Khawaas*)

9. Some women stay away from women who had suffered the deaths of several children. They also keep their children away from such women in the belief that the disease of death should not be passed

on to them. Such practices are incorrect and constitute a grave sin. (*Aghlaatul Awaam wal Khawaas*)

10. The practice of many women is incorrect who think that certain days of the week such as Wednesdays are unlucky. Worse still is that even some men hold this preposterous belief. In fact, eminent authors such as the author of Hidaayah and others wait for Wednesdays to start their books (because they regard this to be an auspicious day).

11. Another erroneous belief is that if a crow crows in the house, it signals the arrival of visitors. (*Aghlaatul Awaam wal Khawaas*)

12. Some people even believe that when certain types of "unlucky" birds sit somewhere, it is an indication that the place will soon become deserted. This belief is also absurd. When birds are engaged in Dhikr all the time, how can one possibly believe that the Dhikr of Allaah will bring desertion and ruin?! (*Aghlaatul Awaam wal Khawaas*)

The Virtues and Etiquette of Du'aa

Authentic Ahadeeth have detailed the etiquette of making du'aa. By making du'aa bearing all these etiquette in mind, a person's du'aa is sure to be accepted. If however, if a person is unable to abide by all these etiquette, it does not mean that he should abandon making du'aa. Du'aa is beneficial in every circumstance and there is always the possibility of it being accepted by Allaah.

The following etiquette have been extracted form the Ahadeeth. Quoting all the Ahadeeth will make this booklet too lengthy, so we will suffice with the etiquette and the reference of the Hadith compilation.

1. Abstain from eating, drinking and wearing things that are derived from Haraam sources. (*Muslim, Tirmidhi* from Hadhrat Abu Hurayrah τ)

2. Make the du'aa with the conviction that none but Allaah can fulfil one's needs. (*Haakim*)

3. Do a good act before the du'aa and refer to the act when making the du'aa by saying, "O Allaah! I have done the act solely for Your pleasure so accept my du'aa by the blessings of the act." (*Muslim, Tirmidhi, Abu Dawood*)

4. Be pure and clean when making the du'aa. (*The four Sunan, Ibn Hibbaan and Haakim*)

5. Be in the state of wudhu. ('Sihah Sitta' from Hadhrat Abu Moosa Ash'ari τ)

6. Face the Qibla. ('Sihah Sitta' from Hadhrat Abdullaah bin Zaid bin Aasim τ)

7. Sit with the legs folded beneath. (*Abu Awaanah* from Hadhrat Sa'd bin Abi Waqqaas τ)

8. Praising Allaah at the beginning and at the end of the du'aa. (*Sihah Sitta* from Hadhrat Anas τ)

9. Reciting Durood on Rasulullaah ρ at the beginning and at the end of the du’aa. (*Abu Dawood, Tirmidhi, Nasa’ee*)

10. Lifting both hands. (*Tirmidhi, Haakim*)

11. Raising both hands to the level of the shoulders. (*Abu Dawood, Ahmad, Haakim*)

12. Sitting with respect and humility. (*Muslim, Abu Dawood, Tirmidhi, Nasa’ee*)

13. Making mention of one’s helplessness and dependence on Allaah. (*Tirmidhi*)

14. Not raising one’s gaze to the sky. (*Muslim*)

15. Mentioning Allaah’s attributes and his beautiful names. (*Ibn Hibbaan*)

16. Mentioning the names of the Ambiyaa عليهم السلام and other pious people, telling Allaah to accept the du’aa through the medium of these people. (*Bukhari*)

17. Making du’aa in a soft voice. (‘Sihah Sitta’ from Hadhrat Abu Moosa Ash’ari τ)

18. Starting the du’aa with personal requests and then making du’aa for one’s parents and for other people. (*Muslim*)

19. Making du’aa with conviction. (‘Sihah Sitta’)

20. Making du’aa with eagerness. (*Ibn Hibbaan*)

21. Applying one’s heart and mind to the du’aa and having conviction that it will be accepted. (*Haakim*)

22. Often repeating the du’aa (*Bukhari, Muslim*) at least three times (*Abu Dawood*).

23. Being persistent in du’aa. (*Nas’ee, Haakim*)

24. Never make du'aa for any sinful thing or for severing family ties. (*Muslim, Tirmidhi*)

25. Never make du'aa that Allaah's mercy should be confined to oneself. (*Bukhari, Abu Dawood*)

26. Asking all one's needs from Allaah only without pinning hopes in the creation. (*Tirmidhi*)

27. Passing both hands over the face after completing the du'aa. (*Abu Dawood, Tirmidhi*)

28. Never be hasty for the du'aa to be accepted i.e. never saying that one's du'aa has not yet been accepted. (*Bukhari, Muslim, Abu Dawood, Nasa'ee*)

The Special Times when Du'aas are Accepted

Although du'aas may be accepted at any time, there are certain times when there is an even greater hope of du'aas being accepted. One should never miss out on these opportunities. These times are as follows:

1. The night of Laylatul Qadr
2. The last ten odd numbered nights of Ramadhaan viz. the 21st, 23rd, 25th, 27th and 29th nights, especially the 27th night (*Tirmidhi*)
3. The day of Arafah (*Tirmidhi*)
4. The entire month of Ramadhaan (*Bazzaar* from Hadhrat Ubaadah bin Saamit τ)
5. The night of Jumu'ah i.e. Thursday nights (*Tirmidhi*)
6. The day of Jumu'ah i.e. Fridays (*Abu Dawood, Nasa'ee*)
7. Every night from the first third of the night (*Ahmad, Abu Ya'la*)
8. There is a certain moment during every Friday in which the acceptance of du'aas are guaranteed

The Special Situations when Du'aas are Accepted

There are certain situations in which Allaah does not reject a person's du'aas. These are as follows:

1. When the Adhaan is called out. (*Abu Dawood*)
2. When a person is suffering much hardship, a tried and tested time to ensure the acceptance of du'aa is to make it between the time that the Mu'adhin says "Hayya alas Salaah" and "Hayya alal Falaah". (*Haakim*)
3. After every Fardh salaah. (*Tirmidhi*)
4. In the condition of Sajdah (*Muslim, Abu Dawood*). This should however not be done during the Fardh salaah.
5. After reciting the Qur'aan (*Tirmidhi*) especially after completing the Qur'aan. (*Tabraani*)
6. When drinking ZamZam water. (*Haakim*)
7. When beside a dead person or a person in the throes of death. (*Muslim*, the four Sunan)
8. When a cock is crowing. (*Bukhari, Muslim, Tirmidhi, Nasa'ee*)

9. When Muslims are in a gathering. ('Sihah Sitta')
10. In gatherings where Allaah is remembered. (*Bukhari, Muslim, Tirmidhi*)
11. When rain is falling. (*Abu Dawood, Tabraani*)
12. When the Kabah is sighted. (*Tirmidhi*)

The Special Places where Du'aas are Accepted

1. On the Mataaf while making Tawaaf.
2. At the Multazam.
3. At the Mizaab Rahmah ("the water outlet of mercy" on the Kabah)
4. Inside the Kabah.
5. At the well of ZamZam.
6. On top of Mount Safa and Mount Marwa.
7. On the area where Sa'ee is made.
8. Behind the Maqaam Ibraheem.
9. On the Plain of Arafah.
10. At Muzdalifah.
11. At the three Jamaraat in Mina

The Special People Whose Du'aas are Accepted

1. A person in difficulty. (*Bukhari, Muslim, Abu Dawood*)
2. An oppressed person, even though he may be a sinner (*Ahmad*) and even though he may be a non-Muslim (*Ahmad*).
3. A father's du'aa for his children. (*Abu Dawood, Tirmidhi*)
4. A pious person. (*Bukhari, Muslim*)
5. Children who are obedient to their parents. (*Muslim*)
6. A traveller. (*Abu Dawood*)
7. When a fasting person ends his fast. (*Tirmidhi*)
8. When a Muslim makes du'aa for his fellow Muslim brother in his absence. (*Muslim*)
9. A person performing Hajj until he returns home. (*Jaami Abi Mansoor*)

Attributes of the Women of Jannah

Because I had written this booklet for women I now wish to quote a few Ahadeeth that may prove to be a means of salvation to women. It will also serve to make their lives in this world much more pleasant and promote piety in their lives. It is hoped that these Ahadeeth will be beneficial to every reader.

1. Hadhrat Thowbaan τ narrates that the Sahabah ψ once asked Rasulullaah ρ which commodity was most profitable. Rasulullaah ρ replied that the most profitable commodities are a tongue engaged in Dhikr, a heart that is grateful and a woman of Imaan who assists her husband in his Deen. (*Tirmidhi, Mishkaatul Masabeeh*)

   In this Hadith, the precious commodity relevant to our discussion is the wife who assists her husband in all affairs relating to his Deen and Aakhirah. For example, when a man decides to go out in the path of Allaah, the wife should not look towards worldly losses such as loss of income, but she should focus on the benefits that such an act will bring to the welfare of the Deen. By focusing on worldly losses she will be causing damage to the welfare of Deen instead of assisting. When a woman exercises patience on worldly losses and looks towards the benefits of the Aakhirah, she will truly become a woman that any man would be lucky to have as a wife.

2. Hadhrat Ummu Salma رضي الله عنها reports that Rasulullaah ρ said, "The woman who dies in a condition that her husband is pleased with her shall enter Jannah." (*Tirmidhi, Bayhaqi*)

   This Hadith proves that attaining the pleasure of one's husband is a sure ticket to Jannah. It is therefore inappropriate for a wife to displease her husband by arguing over petty things and incessantly complaining about finances and other matters. Such things contrast the behaviour of women who are heading for Jannah.

3. Hadhrat Ali τ narrates that Rasulullaah ρ said, "O assembly of women! Fear Allaah and keep the pleasure of your husbands foremost. If a woman truly recognised the rights of her husband, she will remain standing by him with the morning and evening meals." (*Kashful Asraar*)

This Hadith tells a woman that she should always give preference to those things that please her husband. For example, if a husband wants his wife to beautify herself a home and dress up for him, she should not disobey him (she may of course not do anything forbidden such as cut her hair or expose herself to non-Mahram men). Standing by with his meals means that even before the husband can ask for something, the wife should already have it prepared. She should spare him the trouble of asking.

4. Hadhrat Anas τ narrates that as a man left his home one day, he instructed his wife not to go anywhere. Her father who lived downstairs in the same building fell ill and she sent a message to Rasulullaah ρ, asking what she ought to do. Rasulullaah ρ advised her to obey the instruction of her husband and not to leave the home. In the meantime, her father passed away. When she sent the message to Rasulullaah ρ, he sent back a message telling her that Allaah had granted salvation to her father because she had been obedient to her husband. (*Majma'uz Zawaa'id* Vol.4)

   The only thing that prevented the lady in the story from going to see her father was her obedience to her husband. Rasulullaah ρ also endorsed her action. It is therefore necessary for women to strictly obey the instructions of their husbands. If the lady's father was granted salvation because of her deed, one can well imagine that she was certainly also granted at least the same if not better.

5. Hadhrat Abdullaah bin Umar τ narrates from Rasulullaah ρ that Allaah does not even look (with mercy) towards a woman who is ungrateful towards her husband.

   Gratitude attracts an increase in the bounties that one receives and by being ungrateful, a woman corrodes the love between herself and her husband. Their home eventually becomes a scene of Jahannam because Allaah's mercy is far from her. Women should make an effort to tolerate the hardships of life and look forward to the everlasting bounties of Jannah.

6. Hadhrat Aa'isha رضي الله عنها reports from Rasulullaah ρ that when a wife tells her husband that she had not seen any good days with him, then all her good deeds are destroyed. (*Kanzul Ummaal*)

This Hadith sounds a stern warning against this common statement women make when they experience any difficulty or do not have any of their wishes granted. A Hadith of Bukhari states that Rasulullaah ρ once mentioned that he saw more women in Jahannam than men. When asked the reason for this, he replied that it was because women were ungrateful to their husbands. It is also necessary for men to avoid putting women into any situation that forces them to make such statements.

7. Hadhrat Thowbaan τ narrates from Rasulullaah ρ that even the fragrance of Jannah is forbidden for the woman who requests her husband for divorce without dire necessity. (*Abu Dawood*)

   The above Hadith is extremely foreboding and the warning is exceptionally severe because the fragrance of Jannah can be smelt from a distance of forty years' journey. Divorce is an extremely revolting occurrence and it is Shaytaan's great ambition to make as many as possible take place. Every precaution should be taken to stay as far away from situations that may lead to divorce and the rewards for the patience endured when difficult situations arise shall be very handsome indeed.

8. Hadhrat Abu Hurayrah τ narrates from Rasulullaah ρ that Allaah showers His mercy on the wife who wakes up at night to perform salaah and also wakes her husband up. When he does not wake up, she then lovingly sprinkles water on his face. (*Abu Dawood*)

   This Hadith praises such a woman because she is assisting her husband in religious progress. Such women are unfortunately very scarce nowadays because let alone performing Tahajjud our environment makes it so difficult to even wake up for the Fajr salaah. This is especially the case with young couples.

9. Hadhrat Mu'aadh bin Jabal τ narrates that Rasulullaah ρ said, "When a wife gives trouble to her husband in this world, his wives from amongst the damsels of Jannah address her saying, 'Woe to you! Do not trouble him so! He is a guest with you for only a few days after which he will soon leave you to come to us." (*Mishkaat, Tirmidhi*)

   It is unfortunate that when the husband is in a weaker position, it is often noticed that wives ignore them when they most require

assistance. This happens when the wife is wealthier than the husband or when he has grown old and his sons are supporting them. This is an evil practice because it attracts the curses of the women of Jannah and it is during this time when a woman can truly earn her Jannah by caring for her husband.

10. Hadhrat Anas τ narrates that Rasulullaah ρ said, "The first question to be posed on the Day of Qiyaamah will be whether a person's salaah was performed regularly and on time. Women will then be asked whether they treated their husbands well." (*Kanzul Ummaal*)

    It is regrettable to see that most women especially the young ones neglect their salaah with the most trivial excuses such as their clothes being messed with the urine of their child. The should realise that these excuses hold no water on the Day of Qiyaamah and when the punishment arrives it will be too late. Elder ladies should inculcate the habit of salaah in the younger ones so that it remains with them throughout their lives. After being questioned on the Day of Qiyaamah about their duties towards Allaah, women will then be asked whether they fulfilled the rights of their husbands and whether they served them well. Women should therefore ensure that they straighten out their records in this world before being taken to task in the Aakhirah.

11. Hadhrat Asmaa رضي الله عنها narrates that she was once visiting her sister Hadhrat Aa'isha رضي الله عنها while her husband Hadhrat Zubayr τ was away. When Rasulullaah ρ smelt the fragrance of her perfume, he said, "When a woman's husband is away, it is binding on her not to use perfume (or adorn herself in any way)." (*Majma'uz Zawaa'id*)

    This Hadith makes it clear that a woman should beautify herself only for her husband so that the attraction between them should grow. It is not permissible for a woman to beautify herself for anyone else. It is sad that today's women are unkempt at home and then beautify themselves when they go out. It is obvious that Muslims have learnt this behaviour from the Kuffaar. We should discard their ways and return to the teachings of the Shari'ah.

NOTE: It is my humble request to every person reading this booklet to make du'aa that Allaah accepts this work, that He blesses us with the wealth of sincerity and protects us from ostentation. You are requested to also make du'aa that Allaah makes this a source of salvation for myself, my parents, my family and my teachers. May Allaah also grant the best of both worlds to my compassionate mentors who have guided me to righteousness, especially the Sheikhul Hadith of Daarul Uloom Zakariyya Hadhrat Mufti Ridaa'ul Haqq Sahib (Daamat Barakaatuh), the rector of Madrasah Mu'eenul Islaam Hadhrat Mufti Isma'eel Sahib (Daamat Barakaatuh) and my teacher Hadhrat Mufti Isma'eel Bharcodravi (Daamat Barakaatuh) who is the chief Mufti of Daarul Uloom Kantaaria and the Sheikhul Hadith of Daarul Uloom Jambosar. May Allaah cast their benevolent shadows over us for a long time and may He also grant them good health and tremendous blessings in their lives. Aameen.

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